

From: Dale Bentz <jbentz@charter.net>
Date: September 16, 2020 at 9:14:08 PM PDT
To: Michael Klein <mklein@cityofcalabasas.com>
Cc: Dale & Judy Bentz <jbentz@charter.net>
Subject: 24226 Dry Canyon Cold Creek Rd

Mr. Klein, please include this input to the Commission for the hearing on Sept 17,2020.

As a homeowner at 24230 Dry Canyon Cold Creek Rd (home on the common flag lot driveway as subject), I submit the following issues with the proposed development.

1) Expired driveway maintenance agreement. This agreement, now expired, must be renegotiated and agreed upon by the parties (4). Cooperation among all four parties will be necessary, and the subject lot owner should be aware of such a need before beginning to build. An issue may exist also regarding responsibility for any specific driveway improvements needed as a result of any new damage caused by the new construction.

2) The basic design of the subject home is not consistent with the immediate surrounding area in several ways. 2100 sq ft is considerably smaller than the average of 4000 sq ft in the area. In addition, the “modern” design, including the flat roofline, is highly unusual for the area, and not seen at all in the immediate area of north Dry Canyon Cold Creek Rd. which would include the other flag lot neighbors. I know this corridor of Mulholland Highway is a non conforming area but virtually all of the area designs are consistent with a rural, country feel, vs the “modern” design of the proposed. The combination of these issues could significantly affect the long term value of the nearby homes in the area.

3) It should be strongly recommended, if not required, that the driveway be concrete, not asphalt. The common driveway was asphalt originally and it did not hold up at all to the heat or the heavy traffic vehicles. We, as owners at the time, had to replace the asphalt with concrete. The intense summer heat and the heavier vehicles had completely ruined the previous driveway and its curbing (a safety issue too). The long term benefit of a concrete driveway should offset any initial cost issues. In addition, each of the other three existing driveways are concrete and it is certainly preferable that this fourth one be concrete as well.

Thank you for the opportunity to comment. Dale Bentz.

Daniel Alliance

24228 Dry Canyon Cold Creek Rd
Calabasas, CA 91302

tel (310) 461-8840
da@TheAllianceLawyers.com

September 15, 2020

Via Email

City of Calabasas
Community Development Department
Planning Division

Re: File No: 180000265
Project Location: 24226 Dry Canyon Cold Creek Rd, Calabasas

Dear City of Calabasas:

I am Daniel Alliance and I own 24228 Dry Canyon Cold Creek Rd, a neighboring parcel exactly to the South of the Project Location.

I object to the Proposed Development for the following reasons:

1. The Applicant Does Not Own All the Land Referenced

The Applicant's Deed, recorded on 4/8/16 (attached) ^{→ pages 3-4 attached} does NOT convey all of the land referenced in the Application. I attach the Applicant's deed. Please read the Legal Description attached. The Applicant only owns to the Westerly Line of Parcel 4!

I own part of the land the Applicant claims, more specifically, the land West of the Westerly line of Parcel 4. Please review the legal description in my deed (attached). ^{→ page 6 attached}

I have cross hatched in Blue the land the Applicant owns. ^{→ page 5 attached} The land is approximately 20,000 square feet, not the 40,000 sq ft plus the Applicant claims. This may affect minimum lot sizes required to build. ^{→ page 7 attached}

2. Proposed Asphalt Driveway on My Land

The Applicant's diagram has a section marked, proposing to pave an asphalt driveway on my land. I do not consent or grant permission to anyone to pave an asphalt driveway on my land. ^{→ page 8 attached.}

3. Rainfall Will Significantly Flood My Property Even More By Placing a Driveway Where Applicant Intends to

The Project Site (directly to my North) is sloped and elevated compared to my land. During the winter months, I consistently receive an excess amount of rainfall coming down onto my land from the Project Site (as it is sloped). I have had high levels of water coming to my home. The dirty rain water has also flowed into my swimming pool, turning it brown and then green several times, requiring work to get it back to normal. The land is too sloped and the ground already doesn't seep the rainfall well enough.

page 1

I object to having a driveway paved right behind me – it will exacerbate the flooding situation even more as the rainfall will all travel with force onto my land. There will be no permeability. Any previous seepage benefit received from the bare land will be eliminated.

4. The Septic Tank and Leechfield is too Close to Me and My Pool

The Applicant proposes to place his septic just besides my property line, and just near my home. It is also too close to my swimming pool. It will cause a nuisance and a smell.

The leechfield is too close and will cause further issues with drainage and water overflow onto my property (my home is lower in elevation).

5. The Annoyance of the Abutting Driveway

The Project plan proposes to pave a driveway just to the North of my property line, abutting my property line. This is too close. There will be cars driving, parking, etc. just up against my property line. This will create noise, pollution etc., especially since my backyard and pool area is right there.

Furthermore, the Applicant intends to put the garage door facing my pool (facing the South). This doesn't make sense. Given how minimal the width of the proposed driveway is (it is too tight), Applicant won't even be able to turn into the garage. There is not enough width. If anything, a garage door should face the West. *I have also measured this distance, and the story pole garage door is only 24'9" from my blue wrought iron fence, NOT the 27' feet the diagram claims.*

By: 
Daniel Alliance

page 2

2

RECORDING REQUESTED BY:
FIDELITY NATIONAL TITLE COMPANY

AND WHEN RECORDED MAIL TO:

Steven Fernandez et al.
429 Santa Monica Blvd.
#120
Santa Monica, CA 90401

Order No.: 126107
Escrow No.: BR-14775-EW
A.P.N.: 4455-047-014



SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) DOCUMENTARY TRANSFER TAX IS \$ ~~529.00~~ ^{517.00} CITY TRANSFER TAX IS \$.00

- 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 City of **Calabasas** AND

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

Mehdi Ahmadi, and **Betty Ahmadi, Trustee of The Ahmadi Family Trust dated October 21, 2002**

hereby GRANT(S) to

Steven Fernandez, and Marsha J. Cohen, husband and wife as community property with right of survivorship

Fernandez Deed

the following described real property in the County of **Los Angeles**, State of California:

See Exhibit "A" attached hereto and made a part hereof for complete legal description.

AKA: 24226 Dry Canyon Cold Creek Road, Calabasas, CA 91302
Dated: March 9, 2016

The Ahmadi Family Trust dated October 21, 2002

Mehdi Ahmadi
By: Mehdi Ahmadi, Trustee

Betty Ahmadi
By: Betty Ahmadi, Trustee

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
COUNTY OF Los Angeles)SS.

On March 9, 2016 before me, Edward Wyatt Notary Public, personally appeared Mehdi Ahmadi & Betty Ahmadi

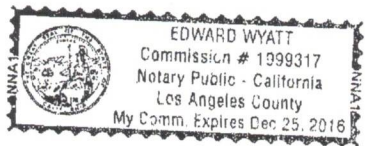
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), 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 *Edward Wyatt*
Signature of Notary

Commission Expiration Date: 12/25/2016



Mail Tax Statements to Return Address Above

179

page 3

4

PRELIMINARY REPORT
YOUR REFERENCE: BR-14775-EW

Fidelity National Title Company
ORDER NO.: 00126107-994-VNO-SI

**EXHIBIT A
LEGAL DESCRIPTION**

*Fernandez
Legal Description.*

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CALABASAS, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THOSE PORTIONS OF PARCEL 3 AND PARCEL 4, IN THE CITY OF CALABASAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 107 PAGES 29, 30 AND 31 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIE NORTHERLY OF THE FOLLOWING DESCRIBED LINES:

BEGINNING AT A POINT IN THE MOST EASTERLY LINE OF SAID PARCEL 4, DISTANT SOUTHERLY THEREON 130 FEET FROM THE MOST EASTERLY, NORTHEAST CORNER OF SAID PARCEL 4; THENCE WESTERLY AND PARALLEL WITH THE MOST NORTHERLY LINE OF SAID PARCELS 3 AND 4 TO THE MOST WESTERLY LINE OF SAID PARCEL 4.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS AND UTILITIES OVER THAT PORTION OF PARCEL 4, AS PER MAP RECORDED IN BOOK 107 PAGES 29, 30 AND 31 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WITHIN A STRIP OF LAND 24 FEET WIDE, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

Easement

BEGINNING AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE OF NORTH 75° 48' 39" WEST 1.60 FEET IN THE MOST WESTERLY LINE OF SAID PARCEL 4; THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY ALONG THE MOST WESTERLY LINE AND SOUTHERLY LINE OF SAID PARCEL 4 TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF PARCEL 3 AS SHOWN ON SAID MAP. THE EASTERLY LINE OF SAID STRIP SHALL BE PROLONGED NORTHERLY TO INTERSECT DRY CANYON COLD CREEK ROAD.

EXCEPT THEREFROM ANY PORTION LYING WITHIN PARCEL 1 ABOVE DESCRIBED.

PARCEL 3:

AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THOSE PORTIONS OF PARCELS 3 AND 4, AS SHOWN ON MAP FILED IN BOOK 107 PAGES 29, 30 AND 31 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WITHIN A STRIP OF LAND 20 FEET WIDE, THE WESTERLY LINE OF WHICH IS DESCRIBED AS FOLLOWS;

Easement

BEGINNING AT THE MOST EASTERLY, NORTHEAST CORNER OF SAID PARCEL 4; THENCE SOUTHERLY ALONG THE MOST EASTERLY LINE OF SAID PARCEL 4, A DISTANCE OF 130 FEET; THENCE WESTERLY AND PARALLEL WITH THE MOST NORTHERLY LINE OF SAID PARCEL 4 OF THAT CERTAIN COURSE OF NORTH 10° 07' 11" EAST 182.90 FEET IN THE EASTERLY BOUNDARY OF THAT CERTAIN FLOOD HAZARD AREA AS SHOWN ON SAID MAP AND BEING TRUE POINT OF BEGINNING; THENCE ALONG SAID CERTAIN COURSE AND ITS SOUTHERLY PROLONGATION, SOUTH 10° 07' 11" WEST TO THE SOUTHERLY LINE OF SAID PARCEL 3.

THE EASTERLY LINE OF SAID 20 FOOT STRIP OF LAND SHALL BE PROLONGED OR SHORTENED TO TERMINATE NORTHERLY IN SAID PARALLEL LINE AND TO TERMINATE SOUTHERLY IN SAID SOUTHERLY LINE.

APN: 4455-047-014

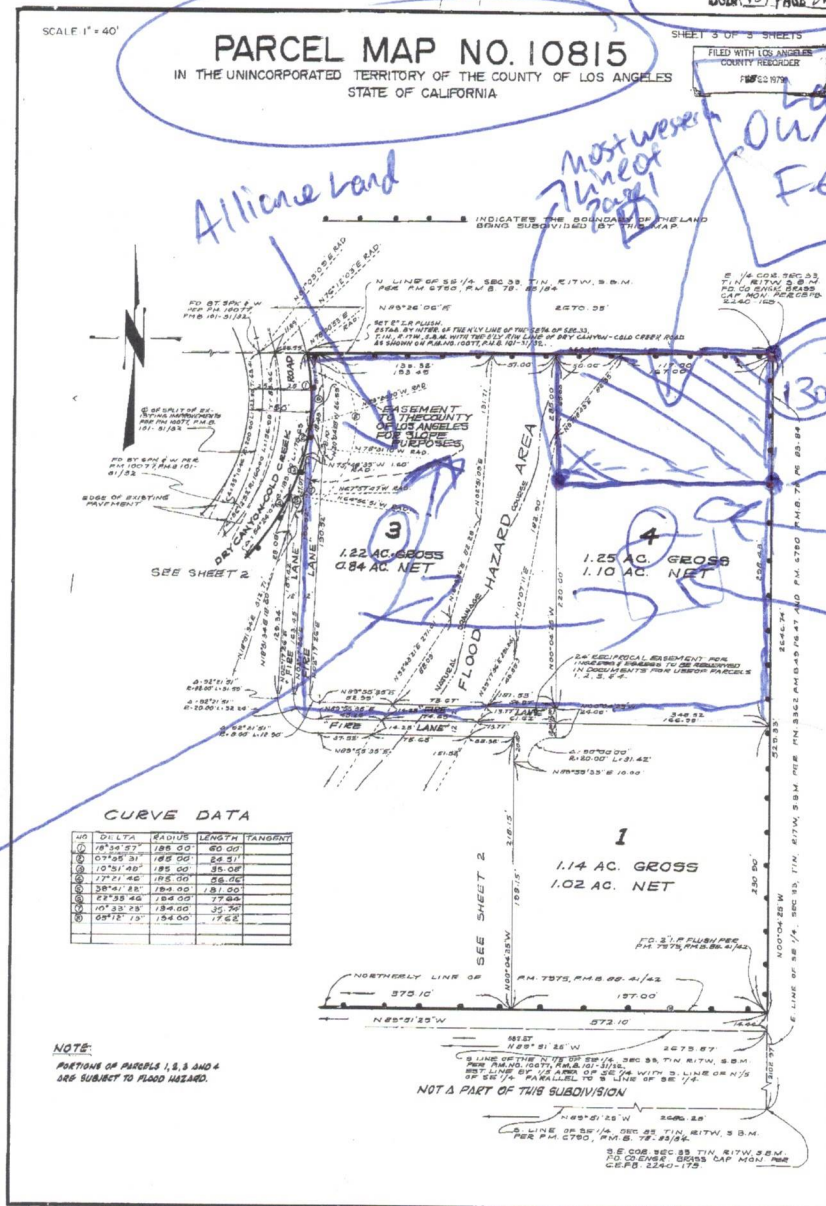
page 4

Referenced parcel map per
Legal Description

22

Cross hatched
Area in Blue
attached is
all that is
deeded to
Fernandez.

Land
Owned
by
Alliance



page 5

34

RECORDING REQUESTED BY:

First American Title Company

MAIL TAX STATEMENT

AND WHEN RECORDED MAIL DOCUMENT TO:

Daniel Alliance, Trustee of The Alliance Family Trust
24228 Dry Canyon Cold Creek Rd
Calabasas, CA 91302

Alliance Deed

Space Above This Line for Recorder's Use Only

A.P.N.: 4455-047-012 and 4455-047-013

File No.: LGL-5678451 (KG)

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$1,448.15; CITY TRANSFER TAX \$0.00;

- computed on the consideration or full value of property conveyed, OR
 - computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,
 - unincorporated area; City of **Calabasas**, and
- EXEMPT FROM BUILDING HOMES AND JOBS ACTS FEE PER GOVERNMENT CODE 27388.1(a)(2)

DA

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **Diane Johnson, Successor Trustee of the Johnson Family Living Trust dated July 30, 1996**

hereby GRANTS to **Daniel Alliance, Trustee of The Alliance Family Trust**

the following described real property in the City of Calabasas, County of Los Angeles, State of **California**:

PARCEL 1:

PARCEL 3 AND PARCEL 4, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED IN BOOK 107 PAGES 29, 30 AND 31 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THOSE PORTIONS OF SAID PARCELS WHICH LIE NORTHERLY OF THE FOLLOWING DESCRIBED LINE.

BEGINNING AT A POINT IN THE MOST EASTERLY LINE OF SAID PARCEL 4 DISTANT SOUTHERLY THEREON 130 FEET FROM THE MOST EASTERLY NORTHEAST CORNER OF SAID PARCEL 4, THENCE WESTERLY PARALLEL WITH THE MOST NORTHERLY LINE OF SAID PARCEL 3 AND 4 TO THE MOST WESTERLY LINE OF SAID PARCEL 4.

PARCEL 2:

AN EASEMENT FOR INGRESS AND EGRESS AND UTILITIES OVER THAT PORTION OF PARCEL 4, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 107 PAGES 29, 30 AND 31 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY WITHIN A STRIP OF LAND 24 FEET WIDE, THE CENTER LINE OF WHICH IS DESCRIBED AS FOLLOWS:

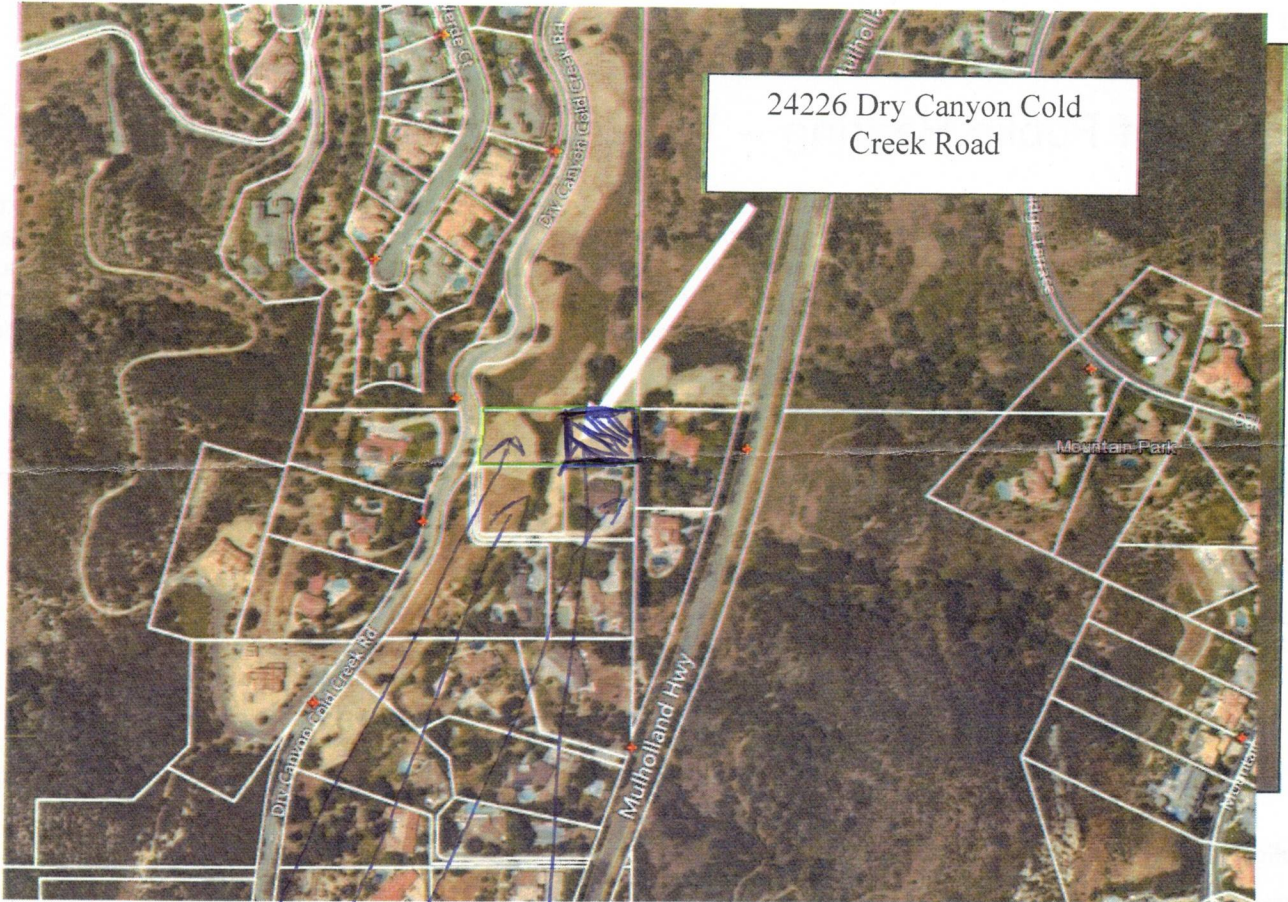
BEGINNING AT THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE OF NORTH 75° 48' 39" WEST 1.60 FEET IN THE MOST WESTERLY LINE OF SAID PARCEL 4 THENCE SOUTHERLY SOUTHEASTERLY AND EASTERLY ALONG THE MOST WESTERLY LINE AND SOUTHERLY LINE OF SAID PARCEL 4 TO THE SOUTHERLY PROLONGATION OF THE

Mail Tax Statements To: **SAME AS ABOVE**

Page 6

RECORDER MEMO: This COPY has not been QUALITY ASSURED.

Project Location Map:



I own this section

only this blue cross hatched area is owned by Applicant

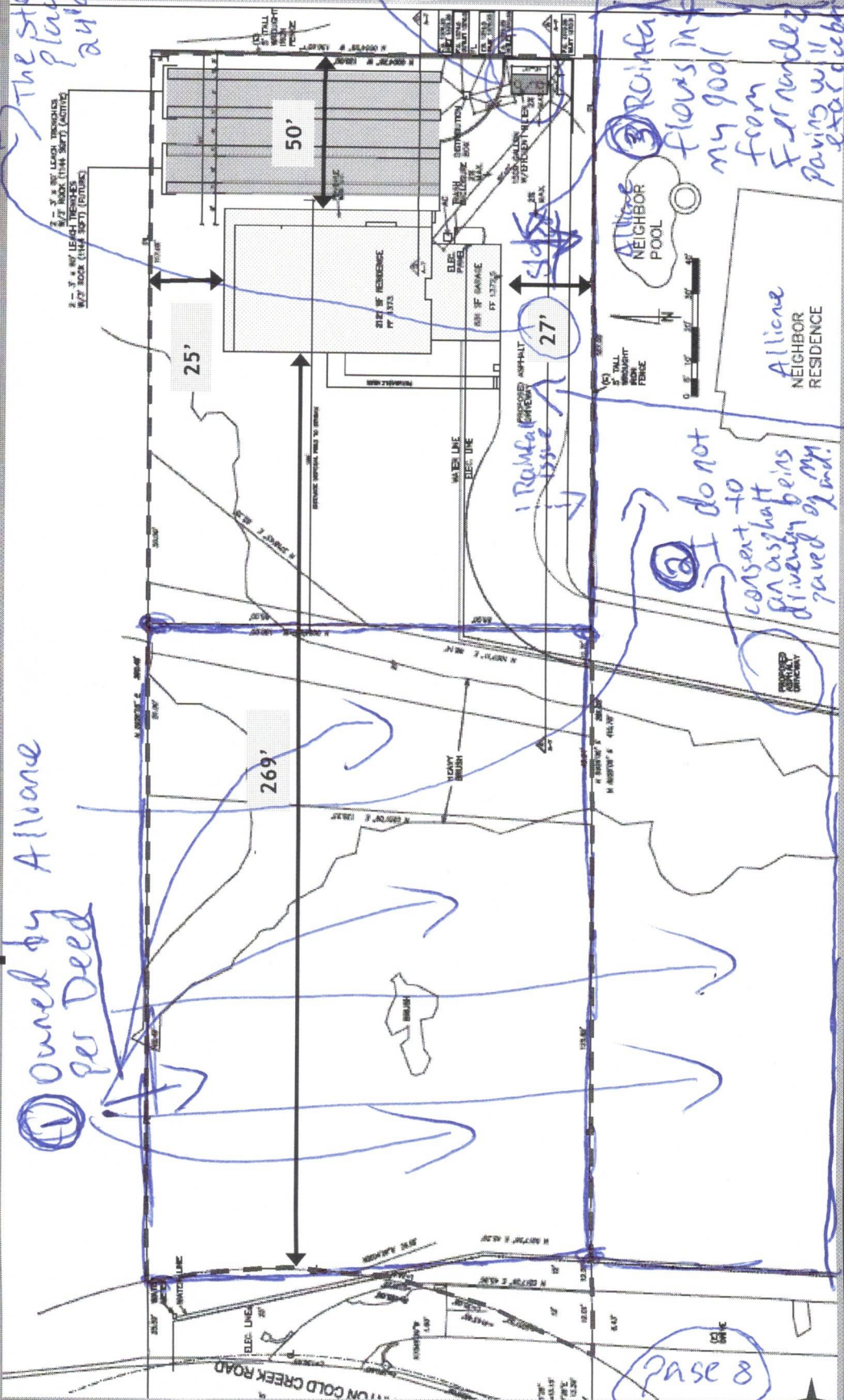
Page 7

Proposed Site Plan

① Owned by Allvane per Deed

The storm pipe places this at 24' high, not 27'.

④ Septic tank is too close to my land.



② I do not consent to gas asphalt driveway being paved by my land.

③ Rainfall flows into my pool from Fernandez lot. Paving will be better.

⑤ proposed paving directly onto my property Mrs. Fernandez is raised in elevation.



CITY of CALABASAS

File No. 180000265: 24226 Dry Canyon Cold Creek Rd

Request to construct a new home.

Planning Commission

September 17, 2020