

Forwarded conversation
Subject: Your 6/13/11 note

From: David Schulman <davidschulman2@ca.rr.com>
Date: Fri, Jun 17, 2011 at 11:18 AM
To: 1100stearns@gmail.com

C.F. 11-1556

Dear Eric and Terry,

Thanks for your June 13, 2011, note asking to meet to discuss the reasons why I changed my position regarding your request for a variance for your property. I appreciate your concern but would like to decline your invitation because the reasons why I changed my position were fully expressed in the letter I filed with the administrative law judge.

I was disappointed in both of you as good neighbors once I read the documents the Chazinovs provided me. When you came by, you led me to believe that what you were seeking was very pro forma, was about bringing your property up to as conscientious new owners. My stance towards friends and neighbors is to presume trust and good will until proven otherwise. Thus, I had no problem signing your petition without conducting my own due diligence.

After reading the Chazanov representative's appeal, and your own attorney's application, it was crystal clear to me that there was much more to the issue than you had led me to believe, and that you perfectly well understood that yourselves when you had approached me. Thus, there is no point in our meeting because there is nothing more I could say that would help you understand what steps you could take to meet my concerns. You weren't candid and transparent with me, and that was not appreciated.

I believe in the importance of master planning and effective zoning policy to promote the quality of life needed in Los Angeles. I don't believe that is accomplished by the carving out exceptions – precisely what a variance is – without significant good reason. I could not find one once I reviewed your attorney's and the Chazanov's attorney's letters, apparently neither could the ALJ, whose office sent me a copy of his decision. To tell you the truth, I was particularly bothered by your lawyer's attempt to frame your application as improving the neighborhood's quality of life. If the neighborhood should permit more back units – an issue with substantial merit in an era emphasizing the need to make the urban core more dense – than that should be decided through the front door of a re-zoning application, not on a case by case basis founded on individual claims that this is better for all.

Eric, Terry, despite the firmness of my conclusions and disappointment in our encounter over this issue, please know I value and appreciate your being my neighbor. You bring vibrancy and intelligence, and a beautiful design sense, to the neighborhood, and I look forward to warm relations with you both despite our strong feelings about this particular issue.

Sincerely,

David

1111 S. Point View

RECEIVED
CITY CLERK'S OFFICE
2011 OCT - 3 AM 10: 01
BY [Signature] CITY CLERK
[Signature]

Carthay neighborhood matter

1 message

Myers, Jody E <jody.myers@csun.edu> Sun, Oct 2, 2011 at 7:15 PM

To: "michael.espinosa@lacity.org" <michael.espinosa@lacity.org>

Dear City Council members of the Planning and Land Use Management Committee,

I am writing to urge you to uphold the decisions of the zoning commission with regard to the duplex at the corner of Stearns and Whitworth Drive.

There is NO GOOD REASON to give variances

- * to legalize the detached third dwelling unit in an R-1 area (where there is already a duplex);
- * to not have to provide required parking for the illegal third unit;
- * to allow a rear yard varying in depth from 3' 6" to 5' 6" instead of the required 15 feet.

The zoning decision-makers looked at the law and the facts and found no cause to grant the variances requested.

I own a duplex in the neighborhood, and I rent to tenants. I have done so for 20 years. I respect the L.A. Housing laws and the zoning laws. I am an active citizen, I pay attention to these matters during elections, and I vote.

THESE LAWS AND DECISIONS MAKE SENSE. WHY WOULD COUNCILMAN KORETZ REQUEST THAT THE CITY COUNCIL OVERTURN THEM? What benefit does Councilman Koretz get from this? I cannot imagine why any members of the City Council would disregard the zoning decisions. I am alarmed by this disregard for zoning laws in my neighborhood. Please do not permit these variances.

Jody Myers
1174 Hi Point Street
Los Angeles, CA 90035

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Professor Jody Myers
Department of Religious Studies
Coordinator, Jewish Studies Interdisciplinary Program
California State University, Northridge
Northridge, CA 91330-8316
(818) 677-3007

Zoning Variance for duplex on corner of Stearns and Whitworth

1 message

Mickey Rosen <mrosenpsi@gmail.com> Sun, Oct 2, 2011 at 2:52 PM

Reply-To: mrosenpsi@gmail.com

To: michael.espinosa@lacity.org, mchazanov1@gmail.com

I am writing you to voice my dismay that this issue has gone all the way to the City Council in spite of the rejection of the variance for a third unit by the appropriate zoning committees. There are currently many units in Carthay, South Carthay and surrounding areas that have modified their houses beyond the limits of the zoning variances. If the variance is approved for this unit, then logic dictates that all illegal units must be approved and may be modified for formal residences. This will change the nature of the neighborhood and put strains upon the neighborhood in terms of additional parking, plumbing, electrical and other utilities. This will hurt property values and reduce the quality of life in a pleasant neighborhood that has withstood many challenges to maintain its characteristics. Please do not allow this variance to be approved since it is not in the interests of the neighborhood and makes a mockery of zoning laws. We move into neighborhoods expecting that the zoning will be honored and the population densities will be adhered to. If Councilman Koretz is so gung ho to increase the stable of public housing in the neighborhood, let him find a developer to develop housing in areas already approved for multi-family units. Or alternatively, let him welcome some families into his home, but not at the risk of contravening the zoning laws!

--

Mickey Rosen
Michael Rosen Associates, LLC
213 949 2208

Variance for 1110-1102 Stearns Street

1 message

Peggy Jacobson <jacobsonpeggy@gmail.com> Sun, Oct 2, 2011 at 9:24 AM

To: michael.espinosa@lacity.org

October 2, 2011

To Whom It May Concern;

We support the planning commission's decision NOT to grant a variance to 1100-1102 Stearns Street for a triplex. We urge you not to proceed with an appeal of this decision. We feel that it is not beneficial to our neighborhood to allow build outs that are not sanctioned. We think it sets a poor precedent and object to the "rules" not being the same for all. We live in the 1100 block of Point View and know that the zoning is R-1 in our neighborhood. Please keep it that way.

Sincerely,

Peggy & Tom Jacobson
1146 S. Point View Street
Los Angeles, CA 90035

Oct. 4 Variance hearing

1 message

Lida Baker <lbaker@ucla.edu>

Sun, Oct 2, 2011 at 9:18 AM

To: michael.espinosa@lacity.org

Dear Mr. Espinosa,

Sir,

I am writing to proclaim my strong OPPOSITION to granting a variance to the owner of the duplex at the corner of Stearns Dr. and Whitworth Avenue, 90035, which would allow the owner to convert a recreation room in the backyard to a third residential unit.

The duplex is located in a block that is zoned R-1. I am a homeowner in this block, at 1157 S. Point View St.

As a homeowner on this block, I oppose the granting of the variance for several reasons.

1. This block has only two or three duplexes, which were built before the R-1 zoning was put into effect. All the other residences on this block are single-family homes. Granting the variance would enable the existence of the only triplex in the area. It would be out of character with the rest of the block.
2. The owner is an architect and cannot possibly plead that he did not know this was an R-1 block when he purchased the property.
3. The corner where the duplex is located already has a shortage of parking spaces. The area was not designed for high density living.
4. Granting the variance opens the door to other residents of the area to request variances to add units to their properties. This would have the effect of lowering the property values of those of us who do not have additional units.
5. As stated, this area was not built for high density. Adding units would create traffic, parking, noise, and safety problems.
6. The zoning commission has twice denied the variance. It is wrong for Councilman Koretz to override these decisions and blatantly support the interests of one constituent (the one requesting the variance - who already has a duplex in an R-1 zone!!) over others (the neighbors who oppose it).

In short, the variance should be denied for once and for all because it is unfair and illegal.

Sincerely,

Lida Baker
1157 S. Point View St.
Los Angeles, CA 90035

Council File # 11-1556

1 message

Valerie Sacks <sacks@sacksconsulting.net>

Mon, Oct 3, 2011 at 12:52 PM

To: michael.espinosa@lacity.org

Dear Mr. Espinosa,

There has been considerable discussion of the impact on the existing tenant if the denial of the variance is not overturned by the City Council. Can you please include this email and the attachment thereto, which I downloaded from the Los Angeles Housing Department's website, in the on-line packet for this item?

The Applicants and their representatives have made frequent reference to the "hardship" that would be faced by the tenant if the variance denial were sustained and the tenant needs to move. This is not the kind of hardship that is legally acceptable as grounds for the "hardship" finding required in order to overturn the denial and grant the variances, as that hardship pertains to the property rather than the tenant. However, we certainly understand the concern that the tenant not suffer as a result of the landlords' decision to rent her a unit that was not a legal unit.

In that light, I wanted to bring the City Council's attention to the current relocation fees. The tenant would clearly be entitled to relocation fees if the denials are sustained. These amounts are significant, and would considerably mitigate any such hardship, particularly in light of the fact that there are currently numerous vacancies in the area right now.

Thank you for your assistance,

Valerie Sacks

Attorney at Law

5900 Wilshire Blvd., Suite 2600

Los Angeles, CA 90036

(310) 876-0924 office

(310) 943-3322 fax

relocation assistance amounts.jpg

73K

Relocation Assistance

Rent Stabilization Bulletin

Page 3 of 6



- **Low Income Tenant** - A tenant whose income is 80 percent or less of the Area Median Income, as adjusted for household size, as defined by the U.S. Department of Housing and Urban Development, regardless of the length of tenancy.
- **Mom and Pop properties** may now pay reduced relocation assistance payments to their tenants for a good faith eviction for occupancy by the owner, family member or a resident manager, provided that certain requirements are met as prescribed in Section 151.30 of the L.A.M.C. The reduced fee applies if all of the following conditions exist:
 1. The building containing the rental unit contains four or fewer rental units;
 2. The **Mom and Pop** landlord has not utilized this provision during the previous three (3) years;
 3. The property containing the rental unit contains 4 or less units;
 4. The landlord owns no more than one other single-family home on a separate lot in Los Angeles; and,
 5. Any eligible relative for whom the landlord is recovering possession of the rental unit does not own residential property in the City.

Relocation Assistance Amounts
Effective July 1, 2011 through June 30, 2012

| Tenants | Tenants with Less Than 3 Years | Tenants with 3 or More Years | Income Below 80% of Area Median Income |
|------------------|--------------------------------|------------------------------|--|
| Eligible Tenant | \$7,300 | \$9,650 | \$9,650 |
| Qualified Tenant | \$15,500 | \$18,300 | \$18,300 |

2011 HUD Low Income Limits for Los Angeles
(Formerly known as 80% of AMI)

| Household Size | 1 Person | 2 Person | 3 Person | 4 Person | 5 Person | 6 Person | 7 Person | 8 Person |
|----------------|----------|----------|----------|----------|----------|----------|----------|----------|
| Income Limit | \$47,850 | \$54,650 | \$61,500 | \$68,300 | \$73,850 | \$79,250 | \$84,700 | \$90,200 |

Relocation Assistance Payable By Mom & Pop Landlords

| Tenants | Through June 30, 2011 | Effective July 1, 2011 |
|------------------|-----------------------|------------------------|
| Eligible Tenant | \$7,000 | \$7,050 |
| Qualified Tenant | \$14,000 | \$14,150 |

Zoning variance request on S. Stearns Drive.

1 message

Misha Askren <misha.askren@gmail.com> Sun, Oct 2, 2011 at 9:05 PM

To: michael.espinosa@lacity.org, Donna Chazanov <chazdancer@gmail.com>

To the PLUM Committee of the City Council of Los Angeles,

I have recently become aware of the fact that recent owners of a duplex at the southeast corner of Stearns Drive and Whitworth Ave. have applied for a variance in zoning. They have a back unit which was converted into a living unit which they are renting out. This is contrary to the previous zoning of that neighborhood as R-1.

There have been hearings and I understand that two separate bodies charged to determine the validity of a zoning variance request have ruled that the variance be denied. At the direction of Councilman Paul Koretz, this matter has now going to be voted on by the City Council of Los Angeles. Councilman Koretz is in favor of granting the variance. Needless to say, when our elected representatives decide that they are above the law and can make findings which are contrary to the law and go against the city organizations entrusted to decide such matters, there is something truly wrong with our government. The decisions of the zoning commission should be final in the matter. This is simply the case of one person wanting something that is contrary to the established law. Because it appears they have the benefit of having Councilman Koretz's on their side, for whatever reason, does not mean it should go to the Council so that a bunch of elected officials should vote on whether to support their colleague or not. They will not be voting to uphold the law, that is for sure.

We are supposed to be a society that is governed by laws. Those laws are not going to be beneficial to every citizen all the time and there will be disagreements. This particular disagreement has already been decided, but Councilman Koretz wants to undo that for the benefit on one individual. That is not in keeping with our democratic government, more like an autocracy.

The City council should vote against granting a variance. Furthermore, each and every councilman should go on record as decrying this process. It should not be the court of last resort for a citizen since a campaign donation, or promise of such, can always sway an elected official, even though they may deny it.

Do the right thing.

Misha Askren, MD

1354 S. Curson Ave.

Los Angeles, CA 90019