



John Gregorchuk <jmgregorchuk@gmail.com>

Urgency is Required for LA's Second Dwelling Unit Repeal (Council File 14-0057-S8) - Martinez

4 messages

John Gregorchuk <jmgregorchuk@gmail.com>

Fri, Jul 29, 2016 at 9:38 AM

To: councilmember.martinez@lacity.org

Cc: Stephen Gregorchuk <swgregorchuk@gmail.com>, Matthew Gregorchuk <mgregorchuk@gmail.com>

Councilmember Martinez,

I would like to ask you to please vote in favor of Council File: 14-0057-S8 (related to Second Dwelling Units) as a temporary fix to homeowners who followed ZA 120 and California law. We urgently need to get this up for a vote because families who followed the guidance of LA City and California Law are now facing foreclosure.

Myself and others paid ten of thousands of dollars (I've spent ~\$30,000) for architectural drawings, engineering, plan check, grading, and demo of existing structures. This was all made possible through a short-term construction loan (12-months). It's already been 5 months since the freeze occurred in February and now banks may foreclose on our homes if we cannot get permits and finish construction.

I don't know if you've ever had to look loved ones in the eye as they are in tears wondering if their dream has just become a nightmare, but it is a devastating task. There are over 600 families who followed the law and are now in desperate trouble as their lenders could foreclose and dangerous partially completed projects sit in their backyards.

The legal team finished the write up back in June, July is passed and now August 2nd is our chance to get an up or down vote. This is only a temporary fix to get us in compliance with California Law and save families from foreclosure. Once the bleeding has stopped, I would be the first one standing to help you and your team pass meaningful housing reform.

If you have any questions, please feel free to call or email me.

Please help us,
John

John Gregorchuk
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(818) 519-7044

John Gregorchuk <jmgregorchuk@gmail.com>

Fri, Aug 5, 2016 at 1:14 PM

To: councilmember.martinez@lacity.org, ackley.padilla@lacity.org, Jim.dantona@lacity.org

Cc: Stephen Gregorchuk <swgregorchuk@gmail.com>, Matthew Gregorchuk <mgregorchuk@gmail.com>

Hi Councilmember Martinez,

I wanted to bump this thread again and add context based on Councilmember Ryu's comments attached to the council file (CF:14-0057-S8):

We cannot afford to let people who went through the process to construct the SDUs, in compliance with City code, hang in limbo.

What me and the other families stuck in limbo are asking for is in line with Councilmember Ryu's comments. We need to pass this repeal as a **temporary fix** to save people who spent thousands of dollars based on guidance from the city but who were ultimately denied their permit. Passing this repeal protects those of us who were in flight. Once it's passed, if the decision is to limit SDUs, then lets say "No new permits after Jan 1, 2017" so that families who followed the law will have time to know that the program is ending. Your statements in the council file also show you as supporting families, but you have deep fears related to developers, investors, and flippers. I challenge you to listen to the audio of the planning commission meeting and hear that those supporting the repeal are all families who followed the law, not developers (Planning Audio File).

A temporary fix will **not** open the flood gates to new permits. Since 2003, there have only been 347 SDUs completed.

That's less than 30 per year out of a city with 10 million people... The reason so few were completed is because the SDUs still require standard setback, height, green building code, and other city building code requirements that make it difficult to find enough room to build an SDU. Setbacks for instance require 15ft rear yards, 5/6 foot side yards, and 10 feet between structures. Homes that meet those requirements are very slim and in effect limit the square footage which is why very few of the SDUs exceed 800 sqft.

As always, I would greatly appreciate it if we could talk about this or have acknowledgment that you are receiving my comments. I noticed the council file has all the emails from negative folks, but not a single email from those of us affected? Listen to the audio of the meetings and read the speaker cards. These are families who work multiple jobs, followed the law, and lawfully started the plan check process well before this lawsuit suddenly halted them. Despite their difficulties being able to attend hearings, families have made large efforts to be there because they're at risk of losing everything. The audio from Planning and PLUM is telling. Not a single person spoke as a flipper or developer. These are families who are building the homes in order to sustain their family (Planning Audio File).

I welcome any comments and I'm looking forward to speaking with you and your team, (818) 519-7044.

Thank you,
John

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John Gregorchuk <jmgregorchuk@gmail.com>

Mon, Aug 8, 2016 at 11:26 AM

To: councilmember.martinez@lacity.org, ackley.padilla@lacity.org, Jim.dantona@lacity.org

Cc: Stephen Gregorchuk <swgregorchuk@gmail.com>, Matthew Gregorchuk <mgregorchuk@gmail.com>, Vivian Li <msvivianli@gmail.com>

Hi All,

I'd like to bump this again. Councilmember Martinez is on record in the Council File of asking for permits to be revoked (Request #2) from those who followed guidance from LADBS and California State Law (See ZA 120 Guidance attached).

I don't think that is fair that homeowners who followed the laws of the land be punished. It's like if you drove 55mph on the freeway and someone came by a year later and said, "Last year's speed limit is retroactively changed to 35mph and we're issuing you a speeding ticket."

Has there been any change in your stance on the issue?

I imagine it's not your intention, but it seems heartless that you would request that the savings and retirements of your constituents be thrown away and then ignore the people who are begging you for reprieve. If you vote against this temporary fix, I do not think it would be in the best interest of Los Angeles, your district, or your constituents. Further, if you really are willing to destroy our dreams, you can start with mine as long as you can reimburse me for the \$544,000 consumer construction loan I took out based on the City and State Law (I understand \$544,000 is not much money to someone who makes \$200,000 a year... but to a young family, that is a gigantic loan).

If you are open to hearing from someone who is affected by your decision directly, I would greatly appreciate the chance to speak with you or your team.

Thanks,
John

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 **ZAMemo120.pdf**
149K

John Gregorchuk <jmgregorchuk@gmail.com>

Wed, Aug 10, 2016 at 7:25 PM

Draft To: Sharon Dickinson <Sharon.dickinson@lacity.org>, Steven Blau <steve.blau@lacity.org>

Cc: Stephen Gregorchuk <swgregorchuk@gmail.com>, Matthew Gregorchuk <mgregorchuk@gmail.com>, Vivian Li <msvivanli@gmail.com>, councilmember.martinez@lacity.org, Jim.dantona@lacity.org, ackley.padilla@lacity.org

Re: Council File: 14-0057-S8

Hi Sharon,

Please add

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OFFICE OF ZONING ADMINISTRATION

City Hall • 200 N. Spring Street, Room 763 • Los Angeles, CA 90012



OFFICE OF ZONING ADMINISTRATION

MEMORANDUM

ZA MEMORANDUM NO. 120

May 6, 2010

TO: Office of Zoning Administration
Public Counters
Interested Parties
Department of Building and Safety

FROM: Michael LoGrande *ML*
Chief Zoning Administrator

SUBJECT: **SECOND DWELLING UNITS PURSUANT TO AB 1866**

State Assembly Bill 1866 became effective on July 1, 2003 amending Government Code Sections 65583.1, 65852.2 and 65915 that allows the creation of second dwelling units on residentially zoned lots, be considered ministerially without discretionary review or hearing. The intention of this memorandum is to assist with implementing AB 1866. It supersedes a previous memorandum issued by Robert Janovici, former Chief Zoning Administrator, and Peter Kim, former Zoning Engineer, dated June 23, 2003.

A second dwelling unit is permitted by right on a lot if it meets ALL of the following AB 1866 standards:

1. The second unit is not intended for sale and may be rented;
2. The lot is zoned for single-family or multi-family use;
3. The lot contains an existing single-family dwelling;
4. The second unit is either located within the living area of the existing dwelling (attached) or on the same lot as the existing dwelling (detached);
5. The total area of the increased floor area of an attached second unit does not exceed 30 percent of the existing floor area;
6. The total area of the floor area for a detached second unit does not exceed 1,200 square feet;
7. The requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction in the zone in which the property are met;

8. The local building code requirements which apply to dwellings, as appropriate, are also met; and
9. A minimum of one additional covered or uncovered off-street parking space is provided. If not otherwise prohibited by the zoning ordinance or any other land use regulation, tandem parking is allowed and the parking space may be located in a required yard.

APPROVAL

If the proposed second dwelling unit meets all nine AB 1866 standards, the Department of Building and Safety shall approve the plans and issue a building permit. If the proposed unit meets all nine standards but is governed by an historic preservation overlay zone, specific plan, or other zoning regulation that requires architectural review or a similar type of review, then the Department of Building and Safety shall refer the applicant to the Department of City Planning. The Planning Department may impose conditions on the project as a result of this architectural or similar review, but may not deny the second unit if it otherwise meets all nine AB 1866 standards.

ALTERNATIVE APPROVAL

If a proposed second dwelling unit does not comply with the nine standards listed above, then AB 1866 does not apply and all applicable regulations in the zoning code govern. If an applicant still wishes to build a second unit, then two options may be available:

First Option. Obtain all necessary approvals as provided by the zoning code. For example, if a proposed second dwelling unit complies with all nine standards set forth above except the required rear yard, then the applicant would have to file for two discretionary land use approvals: (1) an adjustment, pursuant to LAMC Section 12.28, for a reduced rear yard; and (2) a variance, pursuant to LAMC Section 12.27, for an increase in density to permit an additional unit on a lot where the zoning only allows one dwelling unit.

Second Option. Obtain an approved conditional use permit from the Zoning Administrator pursuant to either LAMC Section 12.24-W,43 or LAMC Section 12.24-W,44, subject to all applicable requirements and limitations set forth in those sections.

MULTIPLE DWELLING ZONES

AB 1866 shall not be construed to allow an increase in the density of a zone that may permit two or more dwelling units on a single lot. For example, a third dwelling unit on a lot zoned R2 is not allowed by right pursuant to AB 1866.