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City Councilmembers
City Hall Room 340
200 N. Spring Street
Los Angeles, CA 90012

February 10, 2014

Beachwood Canyon Neighborhood
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Bel Air Ridge Association
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
Crests Neighborhood Assn.
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Hollywoodland Homeowners
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
Lookout Mountain Alliance
Los Feliz Improvement Assn.
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon Assn.
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon Assn.
Oaks Homeowners Assn.
Outpost Estates Homeowners
Pacific Palisades Residents Assn.
Residents of Beverly Glen
Roscomare Valley Assn.
Shadow Hills Property Owners
Sherman Oaks HO Assn.
Studio City Residents Assn.
Sunset Hills Homeowners Assn.
Tarzana Property Owners Assn.
Torreyson Flynn Assn.
Upper Mandeville Canyon
Upper Nichols Canyon NA
Upper Riviera Homeowners Assn.
Whitley Heights Civic Assn.

Re: Item 18 CF #14-0171
10550 West Bellagio Road

Honorable Councilmembers:

The Federation of Hillside and Canyon Associations, Inc., founded in 1952, represents 42 homeowner and residents associations spanning the Santa Monica Mountains, from Pacific Palisades to Mt. Washington. The Federation's mission is to protect the property and quality of life of its over 200,000 constituents and to conserve the natural habitat and appearance of the hillside and mountain areas in which they live. At its meeting on January 8, 2014, the Federation unanimously voted to oppose the decision of the Zoning Administrator (ZA) to grant a 50-foot height variance for the above property and to request that the West Los Angeles Area Planning Commission (APC) grant the appeal of that decision because the ZA erred and abused his discretion in granting the variance. We now request that the City Council uphold the decision of West Area Planning Commission to approve the appeal and *not* assert jurisdiction, pursuant to Charter Section 245.

The Federation is particularly concerned about how the proposed over-height house violates the height requirements and the purpose and intent of the Baseline Hillside Ordinance (BHO). The Federation participated in the extensive public outreach and hearing process that preceded the enactment of the BHO, and we believe that it is essential for the protection of the City's hillside areas that the City follow the requirements of the BHO in its land use decisions. We supported the "building envelope" height measurement provision of the BHO (measured from the lower of finished or natural grade five feet from the exterior walls of a house) because such a formula provides for responsible development that respects the varied topography of the City's hillside areas while allowing homes to be built to the maximum permitted height limits by being stepped up or down hillside slopes.

We believe that the ZA's decision to grant the height variance in this case is in error and constitutes an abuse of discretion in that

- The ZA based the height variance grant on height measurement from finished grade rather than from the lower natural grade when the BHO specifically requires the opposite;
- The ZA failed to follow the intent of the BHO for development of homes

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with varied rooflines that follow the topography of their surroundings and instead justified the height variance because of the applicant's desire for a "consistent roof line for the entire home";

- The ZA did not consider the adverse precedential effect of ignoring the explicit requirements of the BHO in granting a 50-foot height variance when the required findings cannot be made; and
- The ZA did not show how the granting of the variance in clear violation of the BHO would not adversely affect the General Plan, the Bel Air-Beverly Crest Community Plan or the Zoning Ordinance, of which the BHO is a part.

Allowing this variance would set a negative precedent in the hillsides and undermine the recently enacted Baseline Hillside Ordinance. Therefore, the Hillside Federation respectfully requests that you uphold the decision of the West Area Planning Commission which was thoughtfully made, do not grant the height variance, and do not assert jurisdiction pursuant to Charter Section 245. In short, the Federation asks that City Council obey City codes.

Sincerely,

Marian Dodge

Marian Dodge