

1118 N. Heliotrope, Shouldn't these permits be stayed and revoked? Council File No. 18-0118

ed hunt <edvhunt@earthlink.net>

Sep 7, 2018 10:47 AM

Posted in group: **Clerk-PLUM-Committee**

Dear Christina, Thank you for your letter and the info re the Council file and the City Clerk. We will contact the City Clerk and send him a copy of this letter for the official council file.

But we are still not getting any meaningful answers to our seemingly reasonable questions that will help us be accurate at the PLUM Committee hearing. Again, our concern is that if this developer can do this in East Hollywood, what keeps him or other developers from doing the same thing in our 4,600 resident, 120-year-old Melrose Hill Neighborhood. Let me review what we know so far and you can tell us if we are in any way mistaken:

It is our understanding that in his 2017 application for a Project Permit Compliance Review to construct two duplexes, developer David Vivanco fraudulently stated under penalty of perjury that he was seeking to demolish an EXISTING 1919 single family dwelling and detached garage.

We understand Planning Department staff members were notified by the East Hollywood Neighborhood Council that the application filed in June of 2017 by Mr. Vivanco incorrectly stated that the 1919 Craftsman home and garage still existed when in fact both had been illegally demolished almost a year prior to the application being submitted. The developer also submitted multiple photos in the application of the house prior to its demolition, falsely claiming that the structures still existed.

As you are probably aware, Mr. Vivanco signed the following statement when he submitted his entitlement application for 1118 N. Heliotrope Dr.:

"By my signature below, I declare under penalty of perjury under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit." (Emphasis added.)

Since the application was fraudulent and the developer's statement perjurious, the case should have been referred at that point to the City Attorney for prosecution. As noted by the text of the signature

page of the application, the false and dishonest answers in the application are grounds for subsequent revocation of the permits.

Dear Christina, Some additional thoughts on 1118 N. Heliotrope: We understand Principal City Planner Shana Bonstin contends that the only remedy for an illegal demolition is for her department to issue an after-the-fact demolition clearance and for LADBS to then issue a supplemental demolition permit. We respectfully believe this is false. The remedy prescribed by our City Council, signed by our Mayor and properly published for illegal demolitions is enforcement through LAMC Section 91.106.4.1(10), otherwise known as the "Scorched Earth Ordinance."

Planner Bostin and other members of the City Planning Department have displayed no familiarity with the Scorched Earth Ordinance, which prohibits construction for 5 years on the site of the illegal demolition. We understand enforcement of the Scorched Earth Ordinance can be initiated by the Department of City Planning in a request to LADBS. Our City Council can also make the request, as can LADBS itself. There are no restrictions on the age or type of building illegally demolished to trigger the Scorched Earth Ordinance. The text of the ordinance merely states the following:

"The Department shall have the authority to withhold a building permit or relocation permit for a site if the Department determines that demolition or relocation work has been done on the site without the benefit of required demolition or relocation permits. If the Department, after notice and hearing makes this determination, the Department shall also have the authority to record an affidavit with the County Recorder stating that no permits for any new development shall be issued on the property for a period of five years."

We further understand that no hearing has been conducted by LADBS regarding the illegal demolition or the 1919 Craftsman single family home and detached garage at 1118 N. Heliotrope Dr. LADBS staff investigated the matter when a citizen complaint was filed and determined that the home and garage were illegally demolished without benefit of required demolition permits. Yet no attempt was made to enforce the law. Instead, after-the-fact permits were issued.

Planning staff's contention that they must approve an after-the-fact demolition permit has no basis in the Law. If the only remedy for illegal demolitions were to grant after-the-fact permits, then there would be no reason for developers to abide by the regulations prohibiting demolitions without permits. Otherwise the only penalty under this scenario is the \$376 LADBS compliance fee. Planning Department staff has repeatedly acknowledged that the 1919 Craftsman Home at 1118 N. Heliotrope Dr. was illegally demolished, as has LADBS. We believe There is ample cause for revocations of permits improperly issued.

It is our understanding that the appeal pending before our City Council regarding entitlements granted to Mr. Vivanco for 1118 N. Heliotrope was filed under the due process guarantees of California Public Resources Code Section 21151(c). This provision allows an aggrieved party to appeal a CEQA decision of a non-elected, decision-making body to that agency's elected, decision-making body if all other

rights to appeal have been exhausted. In this case, the decision of the Central Area Planning Commission to deny the appeal of the Director's determination to grant Mr. Vivanco approval to build has been appealed to our City Council.

After reviewing internal emails amongst planning staff regarding illegal demolitions in staff it was learned that Mr. Vivanco had previously demolished a property without planning clearance, and that his representative argued in another case to planning staff that he didn't require Planning Department clearance to demolish in SNAP. Mr. Vivanco was therefore well aware when he demolished the 1919 house and garage at 1118 N. Heliotrope that doing so was illegal. Again, please let us know if we are mistaken about any of this.

Christina, again, when did you inform LADBS that the new project was under appeal, that you were withholding final planning approvals and that the developer would be starting any new construction at his own risk? Secondly, again, specifically what are the final planning approvals are you holding back to ensure the developer is "proceeding at his own risk." As far as we can tell, the developer is proceeding with construction.

Again, please notify us as soon as the appeal is scheduled. Still confused,

Respectfully,

THE MELROSE HILL NEIGHBORHOOD ASSOCIATION

Edward Villareal Hunt, AIA, ASLA; President, 323-646-6287; 323-856-9914

**NO MEANINGFUL RE
PLY**

From: Christina Toy [mailto:christina.toy-lee@lacity.org]

Sent: Friday, August 31, 2018 3:36 PM

To: ed hunt

Cc: VINCE BERTONI; Mindy Nguyen; Nuri Cho; Vu Nguyen; Steve Houchin; Charles Fisher; Cindy Cleghorn; Sharon Commins; O'gara Mike; Marlene.savage@ca.rr.com; Hollywood Alliance; MITCH O'FARRELL; fred@linocity.com; Craig Bullock; George Hakopiants; Emily.alpert@latimes.com; Joel Williams; Frank Bush; Susie Landau; Michael Bahe; Linda Lou; Shana Bonstin; Laurie Goldman; Steven Whiddon; Amanda Kainer; Ken Bernstein; Kevin Keller; Ashley Atkinson; Barbara Broide; Steurer August; Bill Roschen; Barbara Ringuette; Charlie Rausch; Florin FFord; Frances Offenhauser; Nina

Royal; Shelley Wagers; SAMIR SRIVASTAVA; Tom Rothmann

Subject: Re: 1118 N. Heliotrope, Shouldn't these permits be stayed and revoked?

Dear Mr. Hunt,

Thank you for your comments. These are discussion points appropriately to raise at the PLUM hearing, our formal public process for the appeal. You requested that your e-mails be submitted in the official appeal file. I will forward this e-mail to the City Clerk, however please send all future correspondence with the Council File No. 18-0118 to our City Clerk's office to be uploaded in the official appeal file at: clerk.plumcommittee@lacity.org.

The City Clerk's office schedules all cases on the PLUM and Council agenda. To be notified when the appeal is scheduled, please contact the City Clerk's office or subscribe to the meetings at: clerk.lacity.org.

Christina

On Fri, Aug 31, 2018 at 5:15 AM, ed hunt <edvhunt@earthlink.net> wrote:

Dear Planning Director Vince, Any chance of a response? Are these not reasonable questions? Again, please place a copy of this letter in the official appeal file and please notify me as soon as the appeal is scheduled. Still confused, Respectfully, -- Ed Hunt, 323-646-6287

NO MEANINGFUL REPLY

From: ed hunt [<mailto:edvhunt@earthlink.net>]

Sent: Thursday, August 30, 2018 4:35 PM

To: kevin.keller@lacity.org

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'; 'Emily.alpert@latimes.com'; Joel Williams (joel.n.williams@lacity.org); Frank Bush (Frank.Bush@LACity.org); 'Susie Landau'; Michael Bahe; Linda Lou (linda.lou@lacity.org); 'Shana Bonstin'; 'Laurie Goldman'; 'Steve Houchin'; 'Steven Whiddon'; Amanda Kainer (amanda.kainer@lacity.org); 'Ken Bernstein'; Ashley Atkinson (atkinson.ashley@gmail.com); 'Barbara Broide'; 'Steurer August'; Bill Roschen (roschen@rvca.org); Barbara Ringuette (Ltrbab@Att.net); Charlie Rausch (charlie.rausch@lacity.org); Florin FFord (florinfford@yahoo.com); Frances Offenhauser (offenhauser@oma-la.com); 'Nina Royal'; 'Shelley Wagers'; SAMIR SRIVASTAVA (samir@absllc.org); Tom Rothmann (tom.rothmann@lacity.org); 'Christina Toy'

Subject: RE: 1118 N. Heliotrope, Shouldn't these permits be stayed and revoked?

Kevin, Any chance of a reply? Are these not reasonable questions? We don't understand. – Ed Hunt, 323-856-9914

NO REPLY

From: ed hunt [<mailto:edvhunt@earthlink.net>]

Sent: Thursday, August 30, 2018 2:28 PM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'; Emily.alpert@latimes.com; Joel Williams (joel.n.williams@lacity.org); Frank Bush (Frank.Bush@LACity.org); 'Susie Landau'; Michael Bahe; Linda Lou (linda.lou@lacity.org); 'Shana Bonstin'; 'Laurie Goldman'; 'Steve Houchin'; 'Steven Whiddon'; Amanda Kainer (amanda.kainer@lacity.org); 'Ken Bernstein'; Ashley Atkinson (atkinson.ashley@gmail.com); 'Barbara Broide'; 'Steurer August'; Bill Roschen (roschen@rvca.org); Barbara Ringuette (Ltrbab@Att.net); Charlie Rausch (charlie.rausch@lacity.org); Florin FFord (florinfford@yahoo.com); Frances Offenhauser (offenhauser@oma-la.com); 'Nina Royal'; 'Shelley Wagers'; SAMIR SRIVASTAVA (samir@absllc.org); Tom Rothmann (tom.rothmann@lacity.org)

Subject: RE: 1118 N. Heliotrope, Shouldn't these permits be stayed and revoked?

Dear Christina, If I understood you correctly, you said the City was withholding certain planning approvals from the project at 1118 N. Heliotrope Dr. and that the developer was "proceeding at his own risk." If not confidential, could you please clarify which approvals Planning is withholding?

If this is true, then why has LADBS approved the Building Permits and allowed the developer to proceed. We don't understand. Again, please place a copy of this letter in the official appeal file and please notify me as soon as the appeal is scheduled. Still confused, Respectfully, -- Ed Hunt, 323-646-6287

NO REPLY

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Tuesday, August 28, 2018 8:49 PM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'; Emily.alpert@latimes.com; Joel Williams (joel.n.williams@lacity.org); Frank Bush (Frank.Bush@LACity.org); 'Susie Landau'; Michael Bahe; Linda Lou (linda.lou@lacity.org); 'Shana Bonstin'; 'Laurie Goldman'; 'Steve Houchin'; 'Steven Whiddon'; Amanda Kainer (amanda.kainer@lacity.org); 'Ken Bernstein'; Ashley Atkinson (atkinson.ashley@gmail.com); 'Barbara Broide'; 'Steurer August'; Bill Roschen (roschen@rvca.org); Barbara Ringuette (Ltrbab@Att.net); Charlie Rausch (charlie.rausch@lacity.org); Florin FFord (florinfford@yahoo.com); Frances Offenhauser (offenhauser@oma-la.com); 'Nina Royal'; 'Shelley Wagers'; SAMIR SRIVASTAVA (samir@absllc.org); Tom Rothmann (tom.rothmann@lacity.org)

Subject: 1118 N. Heliotrope, Shouldn't these permits be stayed and revoked?

Dear Christina, One more question re the illegal demolitions and perjury at 1118 N. Heliotrope. When did you inform LADBS that the new project was under appeal, that you were withholding final planning approvals and that the developer would be starting any new construction at his own risk?

Again, please place a copy of this letter in the official appeal file and please notify me as soon as the appeal is scheduled. Still confused,

Respectfully, -- Ed Hunt, 323-646-6287

NO REPLY

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Monday, August 27, 2018 2:43 PM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'; Emily.alpert@latimes.com; Joel Williams (joel.n.williams@lacity.org); Frank Bush (Frank.Bush@LACity.org); 'Susie Landau'; Michael Bahe; Linda Lou (linda.lou@lacity.org); 'Shana Bonstin'; 'Laurie Goldman'; 'Steve Houchin'; 'Steven Whiddon'; Amanda Kainer (amanda.kainer@lacity.org); 'Ken Bernstein'; Ashley Atkinson (atkinson.ashley@gmail.com); 'Barbara Broide'; 'Steurer August'; Bill Roschen (roschen@rvca.org); Barbara Ringuette (Ltrbab@Att.net); Charlie Rausch (charlie.rausch@lacity.org); Florin FFord (florinfford@yahoo.com); Frances Offenhauser (offenhauser@oma-la.com); 'Nina Royal'; 'Shelley Wagers'; SAMIR SRIVASTAVA (samir@absllc.org); Tom Rothmann (tom.rothmann@lacity.org)

Subject: 1118 N. Heliotrope, Shouldn't these permits be stayed and revoked?

Dear Christina, Continuing:

It is my understanding that the appeal pending before our City Council regarding entitlements granted to Mr. Vivanco for 1118 N. Heliotrope was filed under the due process guarantees of California Public Resources Code Section 21151(c). This provision allows an aggrieved party to appeal a CEQA decision of a non-elected, decision-making body to that agency's elected, decision-making body if all other rights to appeal have been exhausted. In this case, the decision of the Central Area Planning Commission to deny the appeal of the Director's determination to grant Mr. Vivanco approval to build has been appealed to our City Council.

After reviewing internal emails amongst planning staff regarding illegal demolitions in staff it was learned that Mr. Vivanco had previously demolished a property without planning clearance, and that his representative argued in another case to planning staff that he didn't require Planning Department clearance to demolish in SNAP. Mr. Vivanco was therefore well aware when he demolished the 1919 house and garage at 1118 N. Heliotrope that doing so was illegal. Please let me know if I am mistaken about any of this.

Again, please place a copy of this letter in the official appeal file and please notify me as soon as the appeal is scheduled. Still confused,

Respectfully, -- Ed Hunt, 323-646-6287

NO REPLY

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Monday, August 27, 2018 1:26 PM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'; Emily.alpert@latimes.com; Jill Stewart (jilltepleystewart@gmail.com); Joel Williams (joel.n.williams@lacity.org); Frank Bush (Frank.Bush@LACity.org); 'Susie Landau'; Michael Bahe; Linda Lou (linda.lou@lacity.org)

Subject: RE: 1118 N. Heliotrope, Shouldn't this permit be stayed?

Dear Christina, Some additional thoughts on 1118 N. Heliotrope: We understand Principal City Planner Shana Bonstin contends that the only remedy for an illegal demolition is for her department to

issue an after-the-fact demolition clearance and for LADBS to then issue a supplemental demolition permit. We respectfully believe this is false. The remedy prescribed by our City Council, signed by our Mayor and properly published for illegal demolitions is enforcement through LAMC Section 91.106.4.1(10), otherwise known as the “Scorched Earth Ordinance.” Don’t you agree?

Planner Bostin and other members of the City Planning Department have displayed no familiarity with the Scorched Earth Ordinance, which prohibits construction for 5 years on the site of the illegal demolition. We understand enforcement of the Scorched Earth Ordinance can be initiated by the Department of City Planning in a request to LADBS. Our City Council can also make the request, as can LADBS itself. There are no restrictions on the age or type of building illegally demolished to trigger the Scorched Earth Ordinance. The text of the ordinance merely states the following:

“The Department shall have the authority to withhold a building permit or relocation permit for a site if the Department determines that demolition or relocation work has been done on the site without the benefit of required demolition or relocation permits. If the Department, after notice and hearing makes this determination, the Department shall also have the authority to record an affidavit with the County Recorder stating that no permits for any new development shall be issued on the property for a period of five years.”

We further understand that no hearing has been conducted by LADBS regarding the illegal demolition or the 1919 Craftsman single family home and detached garage at 1118 N. Heliotrope Dr. LADBS staff investigated the matter when a citizen complaint was filed and determined that the home and garage were illegally demolished without benefit of required demolition permits. Yet no attempt was made to enforce the law. Instead, after-the-fact permits were issued.

Planning staff’s contention that they must approve an after-the-fact demolition permit has no basis in the Law. If the only remedy for illegal demolitions were to grant after-the-fact permits, then there would be no reason for developers to abide by the regulations prohibiting demolitions without permits. Don’t you agree? Otherwise the only penalty under this scenario is the \$376 LADBS compliance fee. Planning Department staff has repeatedly acknowledged that the 1919 Craftsman Home at 1118 N. Heliotrope Dr. was illegally demolished, as has LADBS. We believe There is ample cause for revocations of permits improperly issued.

Again, please place a copy of this letter in the official appeal file and please notify me as soon as the appeal is scheduled. Still confused,

Respectfully, -- Ed Hunt, 323-646-6287

NO REPLY

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Sunday, August 26, 2018 3:24 PM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'; Emily.alpert@latimes.com; Jill Stewart (jilltepleystewart@gmail.com); Joel Williams (joel.n.williams@lacity.org); Frank Bush (Frank.Bush@LACity.org); 'Susie Landau'

Subject: 1118 N. Heliotrope, Shouldn't this permit be stayed?

Dear Christina, I have looked all over your and the City’s websites and cannot find the law, rule or ordinance that prevents you from staying the construction at 1118 N. Heliotrope. Can you please

be so kind as to send me a copy. If that is too much trouble, just send me the link.

It is my understanding that in his 2017 application for a Project Permit Compliance Review to construct two duplexes, developer David Vivanco fraudulently stated under penalty of perjury that he was seeking to demolish an EXISTING 1919 single family dwelling and detached garage. Correct so far?

I understand Planning Department staff members were notified by the East Hollywood Neighborhood Council that the application filed in June of 2017 by Mr. Vivanco incorrectly stated that the 1919 Craftsman home and garage still existed when in fact both had been illegally demolished almost a year prior to the application being submitted. The developer also submitted multiple photos in the application of the house prior to its demolition, falsely claiming that the structures still existed.

As you are probably aware, Mr. Vivanco signed the following statement when he submitted his entitlement application for 1118 N. Heliotrope Dr.:

"By my signature below, I declare under penalty of perjury under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question **may be grounds for denial or subsequent revocation of license or permit.**" (Emphasis added.)

Since the application was fraudulent and the developer's statement perjurious, the case should have been referred at that point to the City Attorney for prosecution. As noted by the text of the signature page of the application, the false and dishonest answers in the application are grounds for subsequent revocation of the permits. Don't you agree?

Please place a copy of this letter in the official appeal file and please notify me as soon as the appeal is scheduled. Still confused,

Sincerely, -- Edward Villareal Hunt, AIA, ASLA., 323-856-9914

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Friday, August 24, 2018 12:01 PM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com'; 'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'

Subject: RE: Shouldn't this permit be stayed until the City Council hears the tentative tract appeal (Council File 18-0659)?

Oops, typo. The correct address is 1118 corrected below in red.

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Friday, August 24, 2018 10:20 AM

To: 'Christina Toy'

Cc: 'Mindy Nguyen'; 'Nuri Cho'; 'VINCE BERTONI'; 'Kevin Keller'; 'Vu Nguyen'; 'Steve Houchin'; 'Charles Fisher'; 'Cindy Cleghorn'; 'Sharon Commins'; 'O'gara Mike'; 'Marlene.savage@ca.rr.com';

'Hollywood Alliance'; 'MITCH O'FARRELL'; 'fred@linocity.com'; 'Craig Bullock'; 'george.hakopiants@lacity.org'

Subject: RE: Shouldn't this permit be stayed until the City Council hears the tentative tract appeal (Council File 18-0659)?

Yes, again thank you, Christina. My understanding is that the Developer of 1118 Heliotrope is proceeding with construction at his own risk and there is nothing the City can do to stop him even though the project is under appeal. Please let us know the date of the appeal to the City Council once it is set by the City Clerk so that interested parties may attend and testify. Thank you for your prompt response. Sincerely, Ed Hunt, 323-856-9914.

From: Christina Toy [mailto:christina.toy-lee@lacity.org]

Sent: Friday, August 24, 2018 9:21 AM

To: ed hunt

Cc: Mindy Nguyen; Nuri Cho; VINCE BERTONI; Kevin Keller; Vu Nguyen; Steve Houchin; Charles Fisher; Cindy Cleghorn; Sharon Commins; O'gara Mike; Marlene.savage@ca.rr.com; Hollywood Alliance; MITCH O'FARRELL; fred@linocity.com; Craig Bullock; george.hakopiants@lacity.org

Subject: Re: Shouldn't this permit be stayed until the City Council hears the tentative tract appeal (Council File 18-0659)?

Hi Ed,

I was great chatting with you on the phone and I hope I clarified everything. Please feel free to call or e-mail me directly.

Christina

On Fri, Aug 24, 2018 at 8:51 AM, ed hunt <edvhunt@earthlink.net> wrote:

Yes, thank you, Christina. My understanding is that re 4321 Burns, all approvals and any permits will be held void until after the pending appeal is heard and a decision published. Is the City Council Decision appealable?

Is that the same for 1118 Heliotrope? Isn't it the same situation except the owner tore down the bungalow without the proper posting or demolition permits? Still confused about 8111 Heliotrope, -- Ed Hunt, 323-856-9914

From: Christina Toy [mailto:christina.toy-lee@lacity.org]

Sent: Wednesday, August 22, 2018 2:59 PM

To: ed hunt

Cc: Mindy Nguyen; Nuri Cho; VINCE BERTONI; Kevin Keller; Vu.nguyen@lacity.org; steve.houchin@lacity.org; Charles Fisher; Cindy Cleghorn; Sharon Commins; O'gara Mike; Marlene.savage@ca.rr.com; Hollywood Alliance; MITCH O'FARRELL

Subject: Re: Shouldn't this permit be stayed until the City Council hears the tentative tract appeal (Council File 18-0659)?

Hi Ed,

Hope we clarified everything as we had just discussed on the phone.

Please call me if you have any other questions.

Christina

On Wed, Aug 22, 2018 at 2:06 PM, ed hunt <edvhunt@earthlink.net> wrote:

PS, Dear Mindy, Continuing re 4321 Burns: I am just an old country boy from Texas, but this still does not make sense to me. It is my understanding that the appeal pending before the City Council is a second level tentative tract appeal and NOT a "CEQA appeal." Am I mistaken?

Further, the TT appeal was originally scheduled for July 31 but was continued AT THE REQUEST OF THE APPLICANT until October 12. Again, am I mistaken?

While it is true that the CEQA issues run concurrent with the tentative tract appeal, this is not merely a "CEQA appeal." Don't you agree? Therefore, it would seem to me that under the code, all permits should be stayed until the hearing is held and the decision is made by our City Council. Don't you agree? This is why I don't understand why you keep referring to this as a "CEQA appeal" and that the permits can proceed prior to the City Council hearing and their decision. Still confused, -- Ed Hunt, 323-856-9914.

-----Original Message-----

From: ed hunt [mailto:edvhunt@earthlink.net]

Sent: Tuesday, August 21, 2018 9:41 AM

To: 'Mindy Nguyen'

Cc: 'Nuri Cho'; 'Christina Toy'

Subject: Shouldn't this permit be stayed until the City Council hears the appeal (Council File 18-0659).

Thank you, Mindy for this clarification. Still seems weird. -- Edward

From: Mindy Nguyen [mailto:mindy.nguyen@lacity.org]

Sent: Tuesday, August 21, 2018 8:50 AM

To: ed hunt

Cc: Nuri Cho; Christina Toy

Subject: Re: FW: Shouldn't this permit be stayed until the City Council hears the appeal (Council File 18-0659).

Hi Ed,

Thank you for your email.

At present we do not have a stay on permits pending a CEQA appeal; however, we are aware that the applicant has filed for a building permit, and have already informed them that we cannot provide the SNAP clearance until the CEQA determination properly analyzes the proposed scope of work in conjunction with original scope of work.

Let me know if you have any further questions.

On Mon, Aug 20, 2018 at 3:16 PM, ed hunt <edvhunt@earthlink.net> wrote:

Dear Nuri and Mindy, This is very confusing. Why apply for this conversion to Single Family only to demolish? Does this make any sense to you? and shouldn't the appeal be heard first? Is it proper due process to approve construction projects before the appeal is heard?

Confused, Ed Hunt

From: Vu Nguyen [mailto:vu.nguyen@lacity.org]

Sent: Monday, August 20, 2018 2:10 PM

To: ed hunt

Subject: Re: Shouldn't this permit be stayed until the City Council hears the appeal (Council File 18-0659).

Hello Mr. Hunt,

I was not aware of any City Council hearing case at the time I planchecked this property. As planchecker, I did plancheck for their scope of work "Change of use from an (e) duplex to a single family dwelling". I have created all the necessary clearances with other city departments as instructed. The plancheck process is not complete because the applicant needs to get all the necessary clearances. If there were indications that this property is under hearing for Historical Property/Monument, City Planning Department will require further clarification/requirements from the applicant. Please contact City Planning Department for further assistance regarding Historical related issue.

Best regards,

Vu Nguyen

Structural Engineer Associate

City of Los Angeles-Department of Building and Safety

On Mon, Aug 20, 2018 at 1:56 PM, ed hunt <edvhunt@earthlink.net> wrote:

Dear Inspector Nguyen, We are confused about building permit #18016-10000-25762 to modify an old Duplex at 4321 Burns Av. It is our understanding that there is an appeal in place to the City Council against the same developer's request to demolish the building. Why would the developer want to modify the building and convert it to a single family residence that he or she has requested to demolish. Shouldn't this permit be stayed until the City Council hears the appeal (Council File 18-0659).

Isn't to do otherwise illegal due process?

Please bring us up to date on this bizarre case. Confused,

THE MELROSE HILL NEIGHBORHOOD ASSOCIATION

Edward Villareal Hunt, AIA, ASLA, President, 323-856-9914

Mindy Nguyen | Central Project Planning Division

City of Los Angeles | Department of City Planning

200 N Spring Street, Room 621 | Los Angeles CA 90012

E: mindy.nguyen@lacity.org | T: 213 978 1241

Christina Toy Lee, Senior City Planner

Central Project Planning Division Department of City Planning

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