



WENDY GREUEL
COUNCILMEMBER, SECOND DISTRICT
CITY OF LOS ANGELES
PRESIDENT PRO TEMPORE

CITY HALL
200 N. Spring STREET
ROOM 475
LOS ANGELES, CA 90012
(213) 473-7002
FAX (213) 680-7895

NORTH HOLLYWOOD
6350 LAUREL CANYON BLVD., #201
NORTH HOLLYWOOD, CA 91606
(818) 755-7676
FAX (818) 755-7862

SUNLAND-TUJUNGA
7747 FOOTHILL BOULEVARD
TUJUNGA, CA 91042
(818) 352-3287
FAX (818) 352-8563

May 1, 2006

Re: 7437 Kyle Street Hardship Exemption

Dear Friends:

I share your concerns about Hardship Exemptions from our Interim Control Ordinance (ICO). Ideally, every project would have to conform strictly to the ICO's limits on the size of residences in Sunland-Tujunga. However, the City Attorney requires that all ICOs provide relief for persons who are caught by the sudden rule changes that they create. The policy was created to avoid the unfairness that occurs when a project is designed in reliance on the old rules but a building permit cannot be issued because the project does not conform to the new rules.

I started the process of creating the ICO more than three years ago, and my staff worked closely with the Sunland-Tujunga Neighborhood Council's Design Advisory Committee to develop its details. I have a strong, personal interest in making sure that the ICO is enforced whenever possible. Fortunately, only two requests for Hardship Exemptions from the ICO have reached the City Council, and I am informed that no other hardship applications are pending. Since the ordinance was enacted more than seven months ago, I believe that we will see few – if any – additional requests.

Because of the clear language of the ICO, the City Council considers only the extent of the hardship when it acts on a request for a hardship exemption. The issue is fairness – not whether the project conforms strictly to the ICO.

In the Kyle Street case, several community members challenged whether there was sufficient evidence to justify a Hardship Exemption. There were concerns about many details such as the actual address of the property as well as the applicant's address and occupation. These were all legitimate concerns about the accuracy of the hardship claim. My staff vigorously investigated every question and found that there were explanations for each of them. I appreciate the community's efforts to assure the truthfulness of hardship applications.

At the City Council hearing on April 25, the Department of Building and Safety testified that the building permit was issued for the correct lot and that the permit application contained all necessary information. The Department also testified that, before the ICO

COMMITTEE ASSIGNMENTS

CHAIR: TRANSPORTATION COMMITTEE

VICE CHAIR: BUDGET & FINANCE COMMITTEE

MEMBER: AUDITS & GOVERNMENTAL EFFICIENCY COMMITTEE

MEMBER: ENERGY AND THE ENVIRONMENT COMMITTEE



was approved by City Council in late September, 2005, there was no property-related data base that could have revealed the pending ICO to either the department or to applicants for building permits.

There were also concerns about whether the applicant actually planned to live in the property. The City Attorney advised that a hardship is a hardship, regardless of whether the applicant is a developer, a person who is building a new house for herself or a person who is remodeling his existing house. In other words, the hardship arises from the broad situation created by the ICO – not from the details contained in the hardship application.

I also asked the City Attorney to advise as to whether the January 27, 2005 effective date contained in the ICO was the actual effective date. I was told that if the ICO had been approved within a short time of that date, the January 27 date would have been effective. However, since the ICO sat on the City Attorney's desk for many months, the January 27 date was not enforceable.

Because of the community's strong concerns about preserving the protections of the ICO, I asked the owner to reduce the size of her house so that it would be comparable to the house next door. The City Attorney advised that I could not require the reduction, but I was able to negotiate a voluntary reduction with the owner. I persuaded her that a reduction could be done for a small fraction of the cost required to completely redesign the house.

Thank you for bringing your concerns about the Hardship Exemption to my attention. I look forward to continuing our efforts to make Sunland-Tujunga a better place to live.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W Greuel', written in a cursive style.

Wendy Greuel
Councilmember, 2nd District
Los Angeles City Council