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May 10, 2016

Mr. Kenton Trinh
Los Angeles City, Planning Department
Office of Zoning Administration
200 N. Spring Street, Room 763
Los Angeles, CA 90012

Email: Kenton.Trinh@lacity.org

RE: 780 N Tortuoso Way ZA 2015-4336 (ZV)
788 N Tortuoso Way ZA 2015-4334 (ZV)
800 N Tortuoso Way ZA 2015-4330 (ZV)

Dear Mr. Trinh:

Please be advised that the Bel-Air Association takes the position **deny** the Applicant's request for a variance from Section 12.07.01-A of the Los Angeles Zoning Code.

The Bel-Air Association feels that the request to add two (2) additional Kitchens (3 total) to each of the subject single-family residences is excessive, and is not in the spirit of the Zoning Code.

Further, the Bel-Air Association feels that the Applicant does not meet the burden of proof of the five conditions necessary for a Zone Variance, in particular:

1. **"...unnecessary hardships"**: The Bel-Air Association position is that one (1) kitchen should be more than adequate for a single-family residence. The Applicant was fully aware of the Zoning Code when they designed the residence, and proceeded with obtaining building permits for a **Single Family Dwelling (SFD)** with only one (1) kitchen. It was the Applicant's choice to design a structure that is – and this is the Applicant's quote - "substantially and unusually large in size" (the quote from the March 8, 2016 Bel-Air/Beverly Crest Planning and Land Use Committee meeting). The Applicant was not forced to design such a structure.
2. **..."special circumstances"**: There are no special circumstances applicable to the subject properties. The new single family dwellings could easily conformed to the current Zoning Code of one (1) Kitchen per SFD. The vast majority of the houses in the surrounding area are in conformance with the subject code.
3. **"...preservation and enjoyment of a substantial property right"**: Limiting a single family dwelling to one (1) Kitchen (not restricted in size) should pose no loss in enjoyment or a property right.
4. **"...the variance will not be materially detrimental to the public welfare"**: The Bel-Air Association is very concerned that 'giga-mansions' of this size (60,000+ sq. ft. per the Applicant's admission) especially those built speculatively, can easily be converted to multiple short-term rentals. The granting of three (3) Kitchens per structure would further enable this potential illegal use, and can become a severe detriment to the surrounding neighbors and Community. The intent of the subject code section is to deter SFDs from becoming illegal Multi-Family Dwellings.

5. **“The granting of a variance will not adversely affect any element of the General Plan”:**
The Bel-Air Community Plan designates the subject property for “Very Low I Density Residential land uses.” The Authors of the Community Plan and the City Council never envisioned SFD larger than typical hotels and office buildings. The granting of two (2) additional kitchens for the SFD would only further classify this project as a Commercial structure, that is not in keeping with the Bel-Air Plan.

Furthermore, the Applicant had every opportunity to request this variance at the beginning of the design process and the Bel-Air Association takes a dim view on Applicants that try to “**piece meal**” the approval process, so as to avoid public input or scrutiny.

Therefore, the Bel-Air Association recommends that the Zoning Administrator **deny** the Applicant’s request in the so-noted case above.

We wish this position of the Bel-Air Association be entered into the files for each case referenced above.

Thank you for your attention to this matter. If you should have any questions please do not hesitate to contact me at the long-established Bel-Air Association office, telephone (310) 474-3527, 100 Bel Air Road, Los Angeles, CA 90077.

Respectfully yours,

Maureen Levinson
Vice-President, Bel-Air Association
Co-chair of Bel-Air Association Planning and Land Use Committee

cc: Mr. Dan Love, President of BAA
BAA Board
BAA Planning and Land Use Committee
Mr. Fred Rosen, President, Bel Air Homeowners Alliance
Honorable Councilman Koretz, CD5 councilmember.koretz@lacity.org
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Mr. Tony Russo, Applicant tony@crestrealestate.com