

PLANNING and LAND USE MGT.

MOTION

JAN 24 2007

On May 10, 2006, a permit for a new single-family residence at 10638 Commerce Avenue in Tujunga (the Property) was issued by the Department of Building and Safety (LADBS). The project is within the area regulated by the Sunland-Tujunga mansionization ordinance (Ord. No. 176908) which restricts the floor area of construction on the Property to the greater of 2,400 square feet or 40% of the lot area.

The plans for the project described a large portion of the second floor as an "attic." Even though the "attic" area was large enough to provide habitable space, LADBS procedures did not count its floor area toward the square footage limitation defined in the mansionization ordinance. Shortly after a Certificate of Occupancy was issued on December 13, 2006, the builder converted the "attic" space into two habitable rooms without permits or further approval from LADBS. When the "attic" area was converted to habitable rooms, the floor area of the project exceeded the amount permitted by the mansionization ordinance.

The actions of the builder in violation of the mansionization ordinance create the need to review and clarify LADBS procedures in such cases. Such actions also highlight the need for the City to be able to effectively prosecute persons who knowingly file false applications for building or grading permits.

I THEREFORE MOVE that the Department of Building and Safety and the City Attorney report back to the Planning and Land Use Management Committee within 30 days regarding their recommendations for 1) including spaces that could be converted to habitable space in the floor area calculation for properties subject to the mansionization ordinance and 2) strengthening the City's ability to prosecute applicants who knowingly file false applications for building or grading permits.

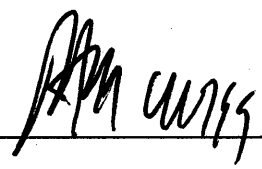
PRESENTED BY: _____

Wendy Greuel

Councilmember, 2nd District



SECONDED BY: _____



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