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Joe Sackett
<joesackett@yahoo.com>

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To cityclerk@longbeach.gov

cc

Subject PD-11 Appeal Letter

Dear City Clerk Mr. Herrera,

My wife and I planned to attend the July 14, 2009 City Council meeting to argue against changing the regulat
We will be unable to attend.

We are filing this letter so that we will be able to challenge any new restrictions.

Thank you for your service to Long Beach,

Joe and Jade Sackett

3115 Stevely Ave.

Long Beach, CA 90808

July 13, 2009

Dear City Council of Long Beach,

This letter is to argue against further restrictions in the Ranchos (PD-11) neighborhood. The city has no basis to restrict the rights of the private property owners to improve their own property at their own expense.

1. This legal due process of changing the Ranchos regulations has been flawed from the beginning. According to the minutes of this group, the Councilmember evidently suggested that a realtor set up a committee and hold private meetings. These private meetings were attended by City employees. The committee did not reveal the existence of these private meetings until just before the open meeting at El Dorado Park. This is a violation of the rights of Rancho owners who will be affected by these new restrictive regulations. The government must transact ALL of its business in public forums.

This is an obvious basis for an appeal.

2. The legal process for changing the regulations must allow all property owners to be polled. Communities that want to have central decision making power, for instance Lake Arrowhead, the regulations must be passed by a majority of the property owners. In the case of Lake Arrowhead, a property owner who does not vote, the vote is counted as a NO vote. This is a fair way to determine the desires of the vast majority of private property owners.

3. The public meeting held by the city at El Dorado Park was attended by less than 20% of the property owners. One of the people at the meeting said that anyone who did not attend the meeting has given up their right to vote on the issue. I object to this in the strongest terms. One meeting at a library in the evening is not a place to make decisions for over 700 property owners. The city needs to hold an election.

4. The Ranchos area (PD-11) is not a historic district. The City staff admitted this up front. Almost every home has been remodeled, very few consistently with the original Cliff May design. The homes that are still original Cliff May design are mostly the ones that have not been well maintained. They are not the best homes in the neighborhood. The City should promote people upgrading their homes rather than putting roadblocks in front of those who want to improve our neighborhood.

There are many beautiful homes designed by Cliff May. If the owner chooses to preserve the original Cliff May design, let them, at their own expense. If an owner wants to improve their own private property at their own expense, they should not be forced by power of the government to limit their own choices in design.

Let me just add, many members of this committee have made extensive changes to their own properties that are not original Cliff May designs. Cliff May designed homes in the 1950's. Many of his ideas are out of date. The city has no business restricting others.

5. Second story homes are often the best choice for owners to improve their private property. If I am not mistaken, our Councilmember lives in a home with a second story. This committee feels that second story homes block the sun and invade privacy.

If the committee is correct about second stories, the City should either:

a. block ALL second story homes in Long Beach; or else

b. they should allow Rancho owners to have the same rights as everyone else.

There is no justification for limiting certain groups of private property owners. The Ranchos are not a historic district. My wife and I are interested in adding a second story. There is no justification to prohibit this.

6. The regulation limiting “tear downs” seems to give a bizarre incentive for homeowners who want to remodel their homes. According to this regulation, the homeowner simply burns down his house to circumvent their regulation. There are several of these in the Ranchos... Come on.

7. The central problem that really does upset many Rancho owners is the mess on Volk Ave. We have weird looking houses, several have structures built five feet from the sidewalk. The cause of this problem is a special variance granted by your office. Your office created this problem when a Mr. Felgemaker granted a variance for a city employee to build his garage five feet from the sidewalk. This variance allowed these others the same right. I wish I had this right.

I want you to know that your department blocked me from rebuilding a three foot wood fence that I built within the PD-11 guidelines over twenty years ago. All I wanted to do was replace an existing fence that was termite ridden. Your department told me that if I wanted a three foot wood fence, I had to set it back five feet. On Volk, I can build my house five feet from the sidewalk. This is what causes distrust and bad feelings toward the city government. Everyone I talked to at both building desk and the planning desk said to me that I should be able to do my project. Yet, one of your planners arbitrarily decided that I could not.

8. This City is already embroiled in controversy concerning private meetings and emails with a big money developer. It is time for this city to make a commitment to hold ALL meetings involving city staff in public. The City has zero credibility with the citizens, this explains the abject failure of the recent ballot proposition. The schools passed a larger proposition because the public trusts the School District.

The City owns this problem. Pushing people around is the cause of the problem, not the solution.

Sincerely,

Joe and Jade Sackett
3115 Stevely Ave.
Long Beach, CA 90808