

RESOLUTION NO. 6665

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GARDENA, CALIFORNIA UPHOLDING THE
COMMUNITY DEVELOPMENT DIRECTOR'S DECISION
TO DENY A HOME SHARING RENTAL APPLICATION
AND DENYING THE APPEAL**

**THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS
FOLLOWS:**

SECTION 1. FINDINGS OF FACT. The City Council does hereby find the following recitals of fact to be true and correct:

A. On September 12, 2023, the City Council adopted Ordinance No. 1854 regulating home share rentals in the City of Gardena which added a new Chapter 5.76.

B. Section 5.76.040F of the Gardena Municipal Code provides that no home sharing permit shall be issued for a dwelling unit with a pending enforcement action by the city for violations of this chapter or any provision of the municipal code, unless the approval is required to resolve the enforcement action.

C. On March 3, 2021, building permits were issued for various renovations including a kitchen remodel, window replacements, door changes, a new porch enclosure, a new front trellis, and a garage conversion into an Accessory Dwelling Unit (ADU). From March 2021 through October 2021, a number of building inspections were scheduled and conducted for the project. Despite the permits having been initially issued over 2-1/2 years ago and the last inspection request having been conducted on October 21, 2021, at the request of the owner, on December 20, 2023, the Building Official allowed for the re-activation of the expired permits. Furthermore, the Building Official allowed an approximate 2-month extension to complete the required inspections for the project. No additional inspections were requested since December 20, 2023, and the permits expired once again on February 29, 2024.

D. On January 23, 2024, an application for a home sharing rental permit was filed with the Community Development Department for the property known as 14408/14410 Van Ness Avenue (APN No. 4062-010-001) by Vera Povetina and Ygor Kochetov ("Applicants").

E. On March 12, 2024 a letter of ineligibility was sent by the Director's designee, Jackie Choi, the Economic Development Manager, to the applicant due to pending enforcement actions.

F. On March 28, 2024, an appeal was filed with the City Clerk's office by the Applicants pertaining to the denial of the application.

G. A hearing was set before the City Council and heard on April 9, 2024 at a regular City Council meeting. Both the applicant and staff presented evidence.

H. At the close of the hearing, the City Council directed staff to prepare a resolution denying the appeal.

SECTION 2. DETERMINATION. Based on the findings set forth above, the City Council does hereby determine as follows:

A. The Applicants had a pending enforcement action against them due to violation of the City's Building Code relating to the expired building permits and were therefore ineligible to receive a home sharing permit.

B. The decision of the Community Development Director to deny the home sharing permit is upheld and the appeal is denied.

SECTION 3. EFFECTIVE DATE. This resolution shall be effective immediately.

SECTION 4. FINAL ACTION. The decision of the City Council is final. Any action to review this decision must be commenced not later than the 90th day after the date this decision in accordance with Code of Civil Procedure section 1094.6.

Passed, approved, and adopted this 23rd day of April, 2024.

Tasha Cerda, Mayor

TASHA CERDA, Mayor

ATTEST:

Mina Semenza

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

Carmen Vasquez

CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6665** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **23rd day of April 2024**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS TANAKA AND FRANCIS, MAYOR PRO TEM
 HENDERSON, AND MAYOR CERDA

NOES: NONE

ABSTAIN: COUNCIL MEMBER LOVE



City Clerk of the City of Gardena, California

(SEAL)