

Subject: Does anyone at LADBS actually enforce your codes?????????

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To: "" <photographics@davidgoldner.com>

I'm an artist living in an Artist in Residence building that is not complying with LADBS codes. Linear City, owned by Paul Solomon and Allen Schneider has been allowing a commercial client, Wurstkuche Restaurant, to rent the live / work unit next to me in 808 E. 3rd St., and use it commercially as a warehouse and an extension of their restaurant at 800 E. 3rd, next door, on a 24 hour basis. I am the artist that actually lives in 808 1/2 E. 3rd, next door to 808. I have complained and complained to the management, to the restaurant renting it, Wurstkuche. To the police senior lead in my area... But nothing has stopped this. Their 24 hour activity in this unit has been, and continues to be totally disruptive and using it late night is totally incompatible with residential as LADBS code 91.8501.4. states. But for almost 18 months now with this restaurants success, this has gone on and grown into a monster! And the only enforcement the LADBS has recommended to me, is that I personally file a law suit a

This is an AIR building and supposed to be a creative live / work space, and a commercial business can not use it on a 24 hours basis. Hours of operation in a residential building has to be enforced! The city needs to enforce their codes and help the artist who are being taken advantage of constantly by landlords. I know that Linear City is getting more for that space and that is why that are not lifting a finger to stop the usage. They would rather throw me out and turn this space retail as well, and have told me that to my face. I have no doubt they are trying to annoy me away! So basically I'm getting screwed by an inconsiderate none artist neighbor and a money hungry retail minded landlord that doesn't care! Why are the actual Artist's in the Arts District the last ones thought or considered about in this terrible economy! Please help!

That said, and to be honest, because I'm not expecting any cavalry, I'm actually taking the city's advice and filing the first law suit this week. The owners of Wurstkuche have become arrogant with their success and don't care if they wake me all hours of the night or early morning by using that unit as a warehouse. At this point, the suit may not even stop them. But being kept awake every night and then woken again almost every morning has effected my health, peace of mind, and my work and it has to stop, or at the least be paid for!

These guys come to the art's district and don't care about the actual artist living next to them. I'm an artist and I have have had 5 lofts in the arts district in the last 30 years. When the last artist is actually gone from this area, the last loft turned retail or condo to make a few dollars more for some landlord, will the city still call this area the LA Arts District? Who is the city attracting when the landlords are aloud to chase us off like this?

The LADBS has done nothing to enforce this code! LADBS code 91.8501.4. General. A Joint Living and Work Quarter shall not be used for public sales purposes or for instructional classes when either is inconsistent with residential use. No hazardous activities such as, but not limited to, welding, open flame, or storage of flammable liquids shall occur in the Joint Living and Work Quarter.

This seems to give residential the priority over any commercial aspect and I demand LADBS stop all commercial usage in 808 E. 3rd St after 10:00PM in compliance with this code.

-David Goldner

116.01 LAMC- General Noise

- . Willfully making or causing to be made or continued;
- . Any loud, unnecessary, and unusual noise;
- . Which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

41.57 LAMC- Loud and Raucous Noise

- . Every person who allows, causes, or permits;
- . Loud noises from any sound making or amplifying device;
- . On any private property, public street, of any other public place;
- . In such a manner as to interfere with the peace and quiet of any person within or upon any of such places.

41.40 LAMC- Construction Noise

- . Engaging in construction, repair, or excavation work with any construction type device, or job-site delivering of construction materials without a Police Commission permit;
- . Between the hours of 9:00 p.m. and 7:00 a.m.;
- . In any residential zone, or within 500 feet of land so occupied, before 8:00 a.m. or after 6:00 p.m. on any Saturday, nor at any time on any Sunday;
- . In a manner as to disturb the peace and quiet of neighboring residents or any reasonable person of normal sensitiveness residing in the area.

113.01 LAMC- Rubbish and Garbage Collection

- . Engaging in the commercial collection or disposing of rubbish or garbage;
- . In a residential zone or within 200 feet thereof;
- . Between the hours of 9:00 p.m. and 6:00 a.m.

115.02 [f] L.A.M.C.

- . Emitting sounds audible at a distance in excess of 200 feet, or sounds which are loud, raucous, or disturbing to reasonable persons of normal sensitiveness within the area of audibility

-David Goldner

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ARTslant
<http://www.artslant.com/la/artists/show/120913-david-1-goldner>

The Whole 9
<http://www.thewhole9.com/davidgoldnermixedmedia/>

Art Break Galleries
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World Art Foundation
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Found Myself Gallery
<http://www.foundmyself.com/gallery/index.php?cat=20960>

Film Credits at IMDB
<http://www.imdb.com/name/nm0325941/>

An ethical sympathy in an artist is an unpardonable mannerism of style.
--Oscar Wilde