

Published November 15th, 2017

Lafayette denial of big home remodel upheld in court; plaintiff to pay costs

By Pippa Fisher



The Woodalls' plans for a large two-story, Tudor-style mansion were found to be incompatible with the character of this Hilltop Drive neighborhood in Happy Valley. Photo Pippa Fisher

views of adjacent properties. The proposal was denied.

The Woodalls brought the lawsuit against the city of Lafayette, arguing that the council's decision was not supported by substantial evidence.

The court, finding in favor of the decision made by the city, ordered the plaintiff to reimburse the city for all of its costs to defend the case, approximately \$15,000, which as Lafayette City Manager Steve Falk points out, should serve as a deterrent to others who would file frivolous lawsuits against the city.

"Those costs are substantive and, since they were funded by taxpayers, this is a win for the city and for all Lafayette residents," said Falk.

"We were very pleased with the decision," commented Lafayette City Attorney Mala Subramanian. "The city council and its commissions each take their responsibility to review and evaluate property matters, including the design of structures, seriously. The Court of Appeal decision confirms the city's due diligence in evaluating and ultimately denying the permit."

Reach the reporter at: pippa@lamorindaweekly.com

[back](#)

Copyright © Lamorinda Weekly, Moraga CA