

Issue of synagogue bias raised in 2004

Hollywood records detail city concerns

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HOLLYWOOD • Elected officials locked in a federal lawsuit over a Jewish synagogue's right to worship in a single-family home have been worried for at least two years that purported miracles performed at a Catholic woman's home could hurt them in court.

The U.S. Department of Justice and the Chabad Lubavitch are suing the city, accusing city officials of denying the Jewish group a zoning

variance based on its religious denomination.

A majority of commissioners expressed serious concerns about the city's treatment of Rosa Lopez, who says the Virgin Mary visits her home monthly, compared with that of the Chabad Lubavitch, which converted a Hollywood Hills house into a synagogue for daily worship, according to transcripts of closed-door meetings held in 2004.

Both locations have drawn complaints from neighbors over the years about illegal parking and excessive trash.

In the Lopez case, the city paid for a police officer to be on hand on the 13th of each

■ CHABAD CONTINUES ON 2B

■ CHABAD

CONTINUED FROM PAGE 1B

month when believers, sick people and miracle-seekers gather. With the Chabad, city workers visited the property at least once every three days for a year in search of violations of city codes and ordinances. Commissioner Sal Oliveri has been a vocal and unrelenting opponent of the Chabad staying on North 46th Avenue near Sheridan Street.

In an April 2004 legal strategy session with city commissioners, City Attorney Dan Abbot summed up the city's concerns.

"I don't know if there have been a lot of structural modifications to the [Lopez] house, but it certainly doesn't look like a typical single-family house," he said. "There are huge religious artifacts throughout the yard, there's a sign that indicates the hours during which a gift shop is open."

He called it "the most concerning site" in terms of the Justice Department's investigation into "whether or not we have treated the Chabad differently than other similarly situated houses of worship."

At that meeting, Mayor Mara Giuliani told City Manager Cameron Benson to make sure the city was doing "everything possible to make sure that we're not doing disparate treatment."

Two years later, the city has taken no action against Lopez.

Lopez said Thursday she has never been visited by city officials, never gotten a license to sell religious CDs, statutes and other items, and never pulled a permit to display signs at her home.

"I don't have a problem with anybody," said Lopez, a native of Cuba who went public with her visions in 1994. "I receive people to my house . . . I am not a church."

She said the only thing she has ever seen in the way of city

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CHABAD LUBAVITCH

enforcement is an occasional parking ticket.

The mayor called the city's lack of enforcement at the Lopez house "terrible."

"I think the city manager does need to be accountable for that," she said.

But that does not mean the city violated the law in the Chabad case, she said.

The city has decided that Lopez's house is not a place of worship, Giuliani said. As a result, Lopez is not required to have a special exception to operate in a residential neighbor-

hood.

The Chabad is required to have a special exception. The city initially granted the synagogue a temporary stay, but, in 2001, commissioners denied a special exception and told the rabbi and his congregation that they had to go. The Chabad filed suit in 2004, accusing the city of violating the Religious Land Use and Institutionalized Persons Act of 2000, which says religious entities cannot be treated "on less than equal terms" with nonreligious institutions. The Justice Department joined the suit last spring.

"The worst you can say is that we had sloppy practices in enforcing our codes" in the Lopez case, Giuliani said.

Franklin Zemel, the Chabad's lawyer, said "this confidence you're seeing is all . . . bravado made up after the fact."

"It's obvious the City Commission is looking for some way to justify the disparate treatment of the Chabad and Rosa Lopez," Zemel said. "What's clear is the city has, since the litigation began, attempted to create a justification for it."

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