

Local

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Judge approves Chabad settlement

Turf battle with Hollywood over

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There will be no courtroom showdown. No further attempts to oust an Orthodox Jewish synagogue out of a Hollywood Hills neighborhood. And no final say from the angry neighbors.

No more legal cliffhangers. It's over, a judge said Friday.

U.S. District Court Judge Joan Lenard surprised many on Friday by approving a settlement agreement between the city of Hollywood and Chabad Lubavitch, effectively ending a legal turf battle that for years brought out the anger of many, drew allegations of discrimination against elected officials and pitted religions against each other.

"I guess the judge didn't want to hear from the little people."

LISA SELF
NEIGHBOR OF
CHABAD LUBAVITCH

CHABAD LUBAVITCH TIMELINE

1999: Chabad Lubavitch moves into two homes in Hollywood Hills, but never tells the city it plans to convert them to houses of worship.

2001: About 150 neighborhood residents complain before a city zoning board about noise, trash and parking violations at Chabad homes. The board issues Chabad a temporary permit.

MARCH 2003: The board votes to give Chabad a permanent special permit.

JUNE 2003: Led by Commissioner Sal Oliveri, city commissioners revoke Chabad's special permit citing zoning law violations.

JULY 2004: With no notice or public input, commissioners vote 4-3 to order Chabad out of the homes.

SEPTEMBER 2004: Chabad files a discrimination suit.

APRIL 2005: The U.S. Department of Justice joins the lawsuit.

JUNE 2006: Judge rules the city's zoning laws are too vague and unconstitutional.

JUNE 26: Attorneys from all sides announce a settlement. Hours later, commissioners complain they were not informed.

JUNE 29: City elected officials draw up a settlement offer.

TUESDAY: All sides agree to settle.

THURSDAY: Neighbors file a motion to intervene in the settlement, saying they were not considered.

FRIDAY: U.S. District Court Joan Lenard denies the motion and orders the case closed.

Lenard officially closed the case and denied a last-minute motion filed by neighbors living next to Chabad, a judicial assistant confirmed. A copy of the judge's final order was not immediately available.

"The case is closed," Chabad attorney Franklin Zemel said late Friday.

While both sides agreed to avoid a trial, Chabad appears to have emerged as the victor.

Chabad now will be able to stay permanently in the two Hollywood Hills homes it first moved into in 1999. The synagogue also will be allowed to expand gradually without having to apply for a special permit and will receive \$2 million from the city's insurance company.

The city now will have to rewrite part of its zoning laws, which were declared unconstitutional and were at the heart of the discrimination lawsuit.

In turn, Chabad agreed to drop the lawsuit against the city and Commissioner Sal Oliveri, who was accused of leading the efforts to oust the syna-

gogue. The U.S. Department of Justice, which joined Chabad in its lawsuit, also signed off on the agreement this week.

Chabad filed its federal civil lawsuit in 2004, claiming the city discriminated in 2003 when revoking a permanent permit to operate a house of worship in a residential neighborhood.

Chabad pointed to nearby religious organizations that were operating with the same permits and to others who didn't even have one.

Oliveri and other city officials maintained they were only enforcing the city's zoning codes and responding to complaints from neighbors.

The final agreement came after Lenard handed down a number of pretrial rulings that hurt the city's case, including naming the city codes unconstitutional.

After the rulings, insurance officials repeatedly warned the city that it would not pay for damages and attorney fees if the discrimination charges were proven.

Records released on Friday show Oliveri's legal fees had reached about \$300,000 by mid-March, the last time his attorney's law firm submitted its bills.

Lenard's move on Friday surprised many, particularly neighbors who banded together this week to object to the settlement agreement. The neighbors had hired an attorney and were hoping to express their concerns to the judge.

"I guess the judge didn't want to hear from the little people," neighbor Lisa Self said. "We now will have to talk to our attorney and see what we have to do next. I don't think this is over."