

CALIFORNIA COASTAL COMMISSION

SOUTH COAST DISTRICT OFFICE
 200 OCEANGATE, 10TH FLOOR
 LONG BEACH, CA 90802-4416
 VOICE (562) 590-5071 FAX (562) 590-5084

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: James M. Mosher
 Mailing Address: 2210 Private Rd.
 City: Newport Beach Zip Code: 92660 Phone: (949) 548-6229

SECTION II. Decision Being Appealed

- Name of local/~~port~~ government: City of Newport Beach
- Brief description of development being appealed: Demolition of existing 2,260 square foot single family home & replacement with 4,500 sf home, plus rooftop deck, on a bluff-face lot where the LCP allows at most 2,865 sf.
- Development's location (street address, assessor's parcel no., cross street, etc.):
 2607 Ocean Blvd., Corona del Mar, CA. 92625
 APN: 052-041-05 (Orange County)
- Description of decision being appealed (check one.):
 Approval; no special conditions
 Approval with special conditions:
 Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: _____

DATE FILED: _____

DISTRICT: _____

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5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: December 7, 2017 (final 1/6/2018)

7. Local government's file number (if any): CD2017-80

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

Nicholson Construction (attn: John Ramirez)
1 Corporate Plaza, #110
Newport Beach, CA. 92660

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/~~county/port~~ hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Darrin Ginsberg (property owner)
301 Carnation
Corona del Mar CA 92625

(2) (names of ~105 other people who wrote to city or spoke at hearings regarding this application will be supplied electronically)

(3)

(4)

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SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

I believe the local approval was inconsistent with the City's recently-certified LCP.

The project is not designed and sited to minimize impacts to public coastal views (CLUP Policy 4.4.1-2) or impacts to natural landforms (CLUP Policy 4.4.1-3). In addition, the project proposes to privatize (by gating) a significant amount of public view land above and to the west of the property (at the top of the bluff) in contradiction of basic Coastal Act premises.

The oversized development was made possible by granting "variances" to the setback standards in the LCP, even though no such authority exists in the LCP and ~~to~~ a request to include such authority & develop the findings necessary to exercise it is pending before the CCC as a request for a major amendment to the LCP.

Even without the variances, this development would be problematic, but with them, the City has made possible building on the presently undeveloped western half of lot/bluff face, as well as construction higher than would otherwise be allowed.

As to exhaustion of local remedies, an appeal to the City Council, filed ^{by me} on 12/21/2017, was returned ^{by the city} with a letter dated 1/9/2018 stating no action would be taken due to failure to pay required appeal fees.

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SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

James M. Grobe
Signature of Appellant(s) or Authorized Agent

Date: Jan. 21, 2018

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize n/a
to act as my/our representative and to bind me/us in all matters concerning this appeal.

n/a
Signature of Appellant(s)

Date: n/a