Tom Baker

Appeal Application

City Clerk's Office
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Newport Beach, CA 92658-8915
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Appeals are time sensitive and must be received by the City Clerk specified time period from a decision or final action by a decision-maker. It is advisable to consult with the Department managing the issue if there is a question with regards to appealing an action. This is an appeal of the:

- ☐ (CDD222)Community Development Director Action to the Planning Commission - *$1,637*
- ☐ (CDD222)Zoning Administrator Action to the Planning Commission - *$1,637*
- ☒ (CDD222)Planning Commission Action to the City Council - *$1,637*
- ☐ (CDD222)Hearing Officer Action to the City Council - *$1,637*
- ☐ (CDD223)Building Official/Fire Marshal Action to the Building/Fire Board of Appeals - *$1,637*
- ☐ (CDD224)Chief of Police Action on an Operator License to the City Manager - *$757*
- ☐ (RSS073)City Manager Action on a Special Events Permit to the City Council - *$1,747*
- ☐ (HBR001)Harbormaster Action on a Lease/Permit to the Harbor Commission - *$100*
- ☐ (HBR001)Harbormaster Action to the Harbor Commission - *Hourly Cost*
- ☐ (HBR001)Harbor Commission Action to the City Council - *Hourly Cost*
- ☐ (PBW018)Public Works Director Action Harbor Development Permits to Harbor Commission - *Hourly Cost*
- ☐ (PBW018)Public Works Director Action on a Lease/Permit to the Harbor Commission - *$100*
- ☐ Other - Specify decision-maker, appellate body, Municipal Code authority and fee: _____

Appellant Information:

Name(s): SPON-STOP POLLUTING OUR NEWPORT — CONTACT JEAN WATT, BOARD MEMBER
Address: P.O. BOX 102, — 4 HARBOR ISLAND
City/State/Zip: NEWPORT BEACH, CA 92662 — NEWPORT BEACH, CA 92660
Phone: 949-673-8164 Email: JWATT4@AOL.COM

Appealing Application Regarding:

Name of Applicant(s): CAROLYN REED Date of Final Decision: ~~JUN~~ MAY 23, 2019
Project No.: PA 2019-060 Activity No.: VARIANCE NO. VA 2019-002
Application Site Address: 1113 KINGS ROAD, NEWPORT BEACH, CA 92663
Description of application: REMOVISH EXISTING SINGLE-FAMILY HOME AND BUILD 10,803 SQ FT. RESIDENCE PLUS GARAGE.

Reason(s) for Appeal (attach a separate sheet if necessary):
1. OPPOSITION BY NEIGHBORING HOMEOWNER ASSOCIATIONS
2. CUMULATIVE ENVIROMENTAL EFFECTS.
3. INCONSISTENCY WITH GENERAL PLAN.
4. FINDINGS NOT DEFENSIBLE.
5. ALTERNATIVES REJECTED.

Signature of Appellant: Jean M. Watt (FOR SPON (STOP POLLUTING OUR NEWPORT) Date: JUNE 5, 2019

FOR OFFICE USE ONLY:
Date Appeal filed and Administrative Fee received: June 5, 2019.

City Clerk

cc: Department Director, Deputy Director, Staff, File

SPON, Stop Polluting Our Newport
P.O. Box 102, Balboa Island, CA 92662

June 4, 2019
Subject: Reed Residential Variance PA 2019-060
Reasons for appeal (continued from application form):

Especially in light of the upcoming General Plan Update (GPU) and concerns about mansionization, loss of neighborhood character, and impacts on views, we believe this Project Application should be reconsidered and denied by the City Council

1. Representatives of two neighboring Homeowner Associations stated their opposition at the Planning Commission hearing. They offered to conduct a community meeting but the offer was ignored despite the increasing desire by the City Council, in preparing for the GPU, to seek maximum public outreach.

2. The granting of this Variance is inconsistent with the General Plan. Cumulative issues in terms of heights and bluffs were not considered and the Natural Resources Element of the General Plan was not discussed. The variance will encourage construction over the ravine on the coastal bluff. But variances are only supposed to be granted (NBMC Sec. 20.52.090(F)(6), (see below) if the result would not conflict with the General Plan. One of the stated goals of the Natural Resources Element of the General Plan (all elements supposedly having equal standing) is Goal "NR 23 - Development respects natural landforms such as coastal bluffs." This is supported by policy "NR 23.1 - Preserve cliffs, canyons, bluffs, significant rock outcroppings, and site buildings to minimize alteration of the site's natural topography and preserve the features as a visual resource."

3. The Project should not be considered categorically exempt under Section 15303 of the CA CEQA Guidelines because it has potential to have significant effect on the environment.

4. NBMC Section 20.52.090(F) (Variances – Findings and Decisions). We believe the following findings cannot be made:

   Finding (2): Strict compliance with Zoning Code requirements would deprive the subject property of privileges enjoyed by other properties in the vicinity and under an identical zoning classification.

   Finding (3): Granting the variance is necessary for the preservation of enjoyment of substantial property rights of the applicant.

   Finding (4): Granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and in the same zoning district.

   Finding (5): Granting of the variance will not be detrimental to the harmonious and orderly growth of the City.

   Finding (6): Granting of the variance will not be in conflict with the intent and purpose of this section, the Zoning code, the General Plan, or any applicable specific plan.

SPON, info@spon-newportbeach.org
Contact: Jean Watt, jwatt4@aol.com 949-673-8164