

**From:** dan.j.burt@gmail.com  
**Sent:** March 14, 2025 1:09 PM  
**To:** Schank, Deborah  
**Cc:** Murray, John; Shelton, Chad; Lee, David; Joan Burt; 'Vicki Chamberlain'; 'Carmen Rawson'; 'Michelle Ghidotti'; eric@advancedbuildingent.com; Lane, Steve  
**Subject:** Comments for Public Hearing Thursday, March 20, 2025 at 8:00am -1715 W. Balboa Blvd Permit No. X2020-1565

**[EXTERNAL EMAIL] DO NOT CLICK** links or attachments unless you recognize the sender and know the content is safe. Report phish using the Phish Alert Button above.

Debi,

Please make sure the hearing officer has this for the upcoming public hearing, unfortunately I won't be able to attend in person

Thanks

Subject: Comments for Public Hearing Thursday, March 20, 2025 at 8:00am -1715 W. Balboa Blvd Permit No. X2020-1565

Dear Hearing Officer,

My name is Daniel Burt, 1713 W. Balboa Blvd, and I strongly request that you DENY the request for permit extension for 1715 W. Balboa Blvd. The reasons for denial are as follows:

- 1) The current permit (X2020-1565) allows the owner to be "grandfathered" from complying with the current building & zoning codes and requirements. Requiring him to obtain a new permit the project will be considered "new construction" and he will be subject to current codes & requirements. This will protect us as neighbors.
- 2) The "Staff Report" has several inaccuracies. The report states that "This project first started with Permit X2020-1565 issued on March 2, 2021" The project actually started in July 2018 with a permit to re-roof. Under that permit Mr. Selby actually began demo (without adequate asbestos or lead remediation) and reconstruction of the side walls and roof to illegally enlarge the structure. We complained to the City multiple times with the final issue of "stop work" and requiring of plans and permit. This project has actually been ongoing for 6 ½ years.
- 3) Under "recommendations" #2 the staff report says "Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment". The code actually states "Under the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Class 1, "Existing Facilities," covers projects involving the operation, repair, maintenance, permitting, leasing, licensing, or minor

alteration of existing structures, facilities, or equipment **with no expansion of existing use.**" Mr Selby has significantly expanded more than the 10% allowed by the CEQA (he falsely submitted "existing structure " drawings that were inaccurate and hid his expansion – evidence thereof previously shown to David Lee of Newport Beach Planning). Furthermore, he only has two "grandfathered" parking spaces; yet he has City permits for short term rental for 14 persons! The code would require 4 parking spaces for his two units. Therefore, his lack of adequate parking will have a significant effect on the environment.

- 4) Under recommendations #3 Staff report says the hearing officer may grant an extension if "...the failure to meet the time limit was caused by circumstances beyond the property owner, applicant, or the contractor's control." Mr. Selby sites bad beams from 3years ago and burglary break ins from 2022 along with some fit difficulties as reasons beyond his control. Actually, for the last 6 years he has considered this project as a hobby, for 99% of the time he has employed only two workers engaged in construction (the Hearing Officer can request labor invoices which will demonstrate the lack of reasonable expedited effort to complete the project). If he really wanted to expeditiously complete he would be employing more workers or hire a legitimate contractor.
- 5) Finally, he has a track record of falsely submitting completion dates (which have been accepted by the City)
  - a. In an extension request submitted in January 2024 he said he would be complete by 8/8/24, accepted by the City.
  - b. In an extension request he submitted in July 2024 he said that he would be complete by 1/17/25, accepted by the City.
  - c. In an extension request he submitted in December 2024 he said that he would be complete by 3/2/25, accepted by the City
  - d. Now he is promising to be complete by ?????

How much longer is the City going to believe and approve what Mr. Selby is submitting? A legitimate building contractor has stated that he has 1 1/2 to 2 years to complete.

In summary, the hearing officer should deny the request for permit extension. In addition the officer should require a new permit submission which conforms with all current codes and requires adequate off street parking (min of 4 spaces).

Respectfully submitted

Daniel Burt