

**Plan Check No.: 2295-2019**

**Permit No.: X2019-3305**

**Address of the Neighbor requesting hearing appeal: 1113 Kings Road, Newport Beach (Reed Residence)**

**Address of Neighbor requesting denial of appeal: 1121 Kings Road, Newport Beach (Azadian Residence)**

Hello Board Members,

My name is Gus Azadian, and I am the homeowner at 1121 Kings Road, Newport Beach. I am writing to strongly denounce our next-door neighbors' actions and request upholding the citation issued to my neighbor at 1113 Kings Road, Newport Beach (Reed Residence) regarding their non-compliant wood fence on the west side of their property. The citation highlights that the fence is not consistent with PC2295-2019, and it is unnecessary to have this fence given the current construction. I respectfully request that the Building and Fire Board of Appeals to deny the appeal submitted by Reed and uphold the decision that a building permit must be issued before constructing a wooden fence on the top of Reed's retaining wall. The Chief Building Official's decision letter, dated May 01, 2024, clearly states that a building permit is required for this fence. It is essential that this decision remains in effect to ensure compliance with city regulations.

Exception to the City Codes for the Reeds has been ongoing since 2019, when the Reeds began their construction at 1113 Kings Road. Since then, they have repeatedly requested exceptions to the city codes and created significant obstacles to our peaceful living. As you are aware, we were previously involved in a lawsuit against them for property damage, fraud, and deceit.

As a retaliation to our litigation, in November 2023, the Reeds at 1113 Kings Road, installed a wood fence topper on their retaining wall without obtaining the necessary permits. Since then, the City of Newport Beach has issued multiple (7 in total) citations and penalties regarding this unauthorized construction. Despite these citations, the Reeds ignored the city's opposition and filed for an appeal hearing with the Building and Fire Board of Newport Beach, scheduled for September 10th, 2024, after a 4-month delay in setting up a hearing. I have attached current pictures of the issue for your reference (See Exhibit 1, 2 & 3)

It is important to note that this unauthorized wood topper seems to have been constructed out of spite rather than for any legitimate safety or privacy reasons. The Reeds have excavated down 10 feet, and the retaining wall itself is already 10 feet high. The wood topper does not provide any additional safety measures. Instead, it has become a significant nuisance and eyesore from every angle of our house, contributing to the devaluation of our property.

I firmly believe that this action by the Reeds is retaliatory and directly related to our lawsuit and was done with malicious intent. The unauthorized installation of the wood topper has not only affected the aesthetic value of our home but has also created unnecessary tension and disruption in the neighborhood.

Furthermore, I would like to emphasize the height issue. The Reeds have received numerous exceptions from city officials and building permit officials, including variances and additional approvals that were not warranted, despite being labeled as "hardship." Their five years of ongoing construction and repeated

requests for exceptions to all the codes reflect a troubling pattern of trying to circumvent city regulations rather than comply with them. This behavior undermines the fairness and integrity of our community's codes.

Additionally, I must address Reed's issue of privacy, which seems to be selectively enforced in this case. While the Reeds have cited privacy concerns on our side (west) of their property, their east side neighbor (1101 Kings Road) has an unobstructed view of Reeds home, pool, cabana and complete backyard (See Exhibit 4). If privacy is truly a concern, it seems contradictory for the Reeds to have installed 11 large windows at our side that look directly into our home, effectively depriving us of any privacy. Addressing privacy should involve consideration for all neighbors, not just selective measures that benefit only one side of their property.

This ongoing disregard for the rules not only undermines the city's codes and the authority of the Board but also shows a lack of consideration for the neighbors who are directly affected by these violations. The continual delays and extensions have left the community in uncertainty, negatively impacting our quality of life.

It is crucial that city officials and the Board of Appeals uphold the codes as intended, without making unnecessary compromises. Allowing the Reeds to continue bending the rules sets a dangerous precedent that could erode the very foundation of our community's regulations.

Given the history of this situation, I respectfully urge the Board to uphold the citation and deny their appeal. It is essential that the city's codes are enforced consistently and fairly for all residents, regardless of their wealth or influence.

Thank you for your attention to this matter and for your commitment to preserving the integrity of our community.

Gus and Fawzia Azadian

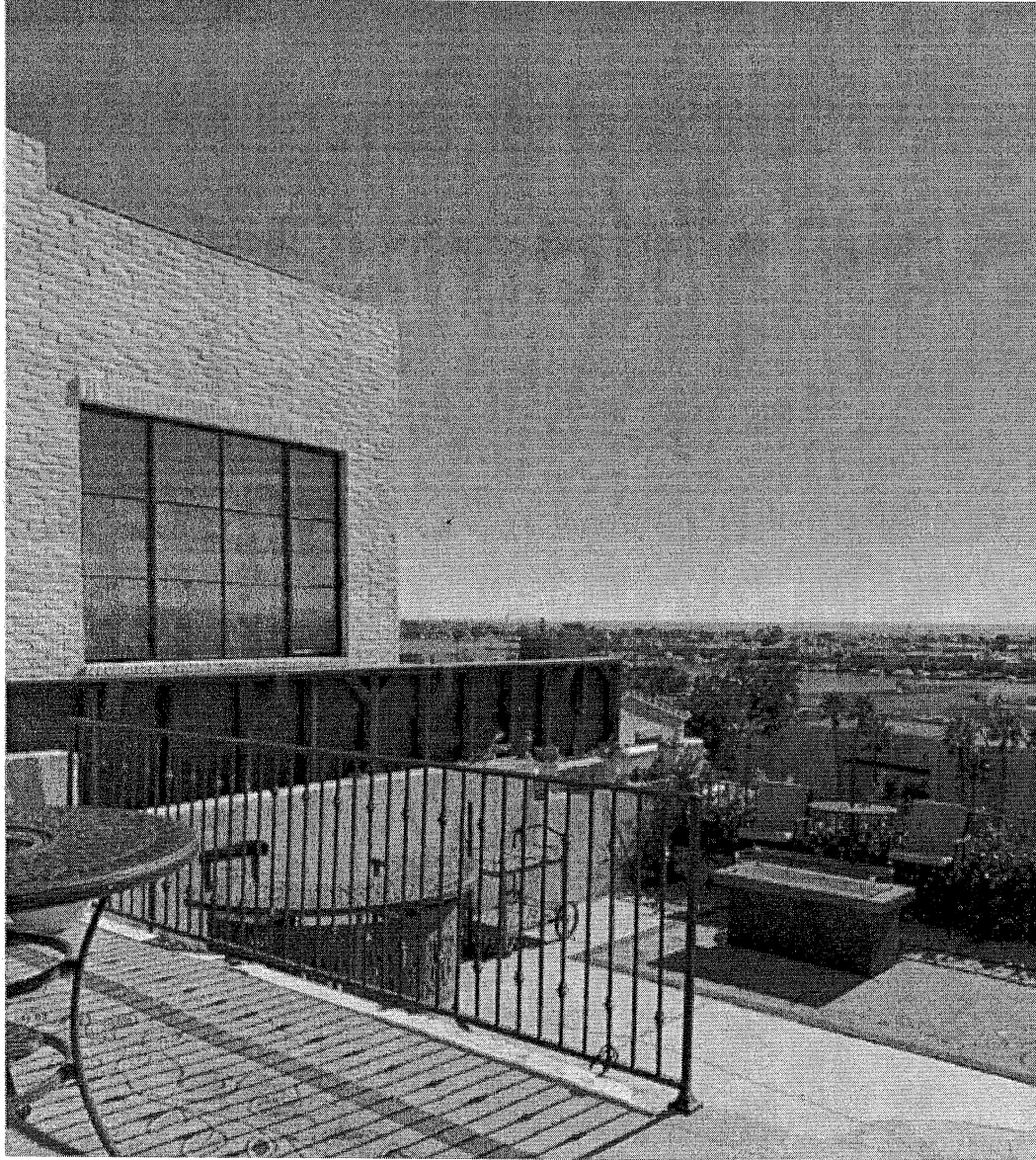
1121 Kings Road

Newport Beach, CA 92663

(714)290-3208



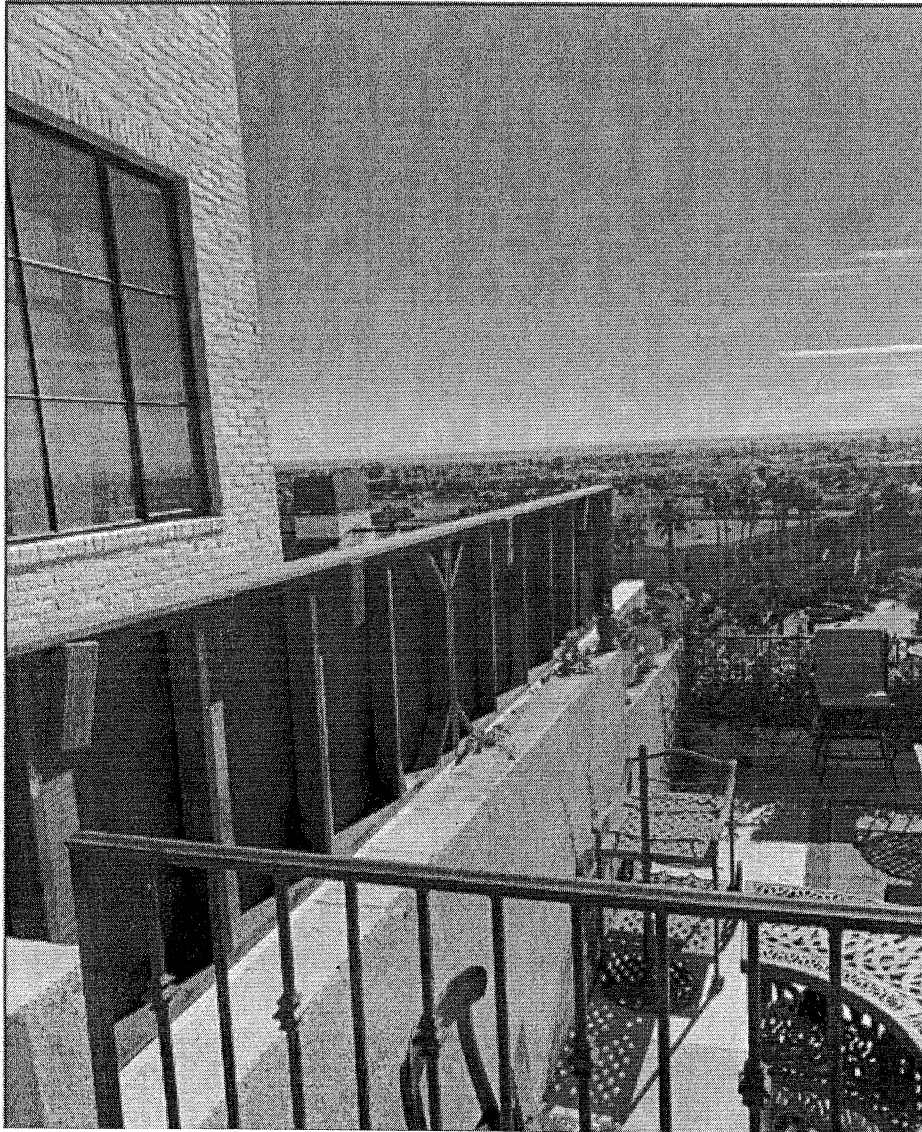
# Exhibit 1



**The View from our Living Room  
at 1121 Kings Road**



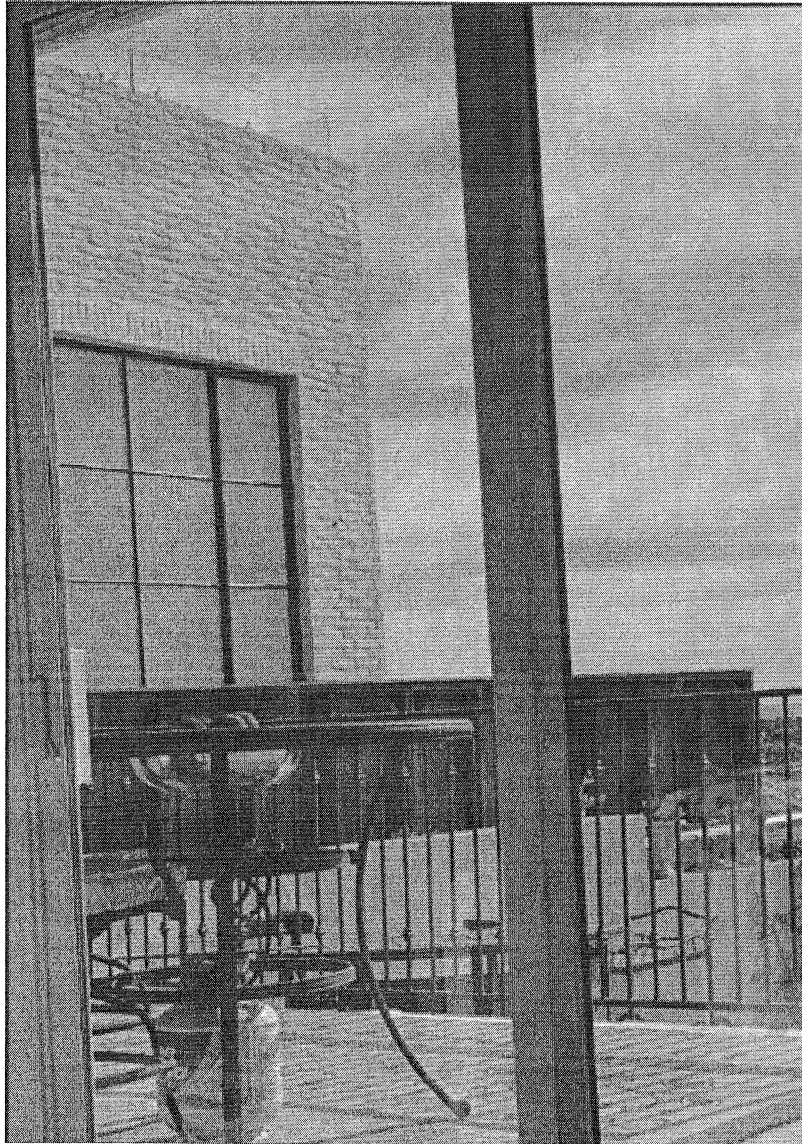
# Exhibit 2



**The view from our Bedroom at  
1121 Kings Road**



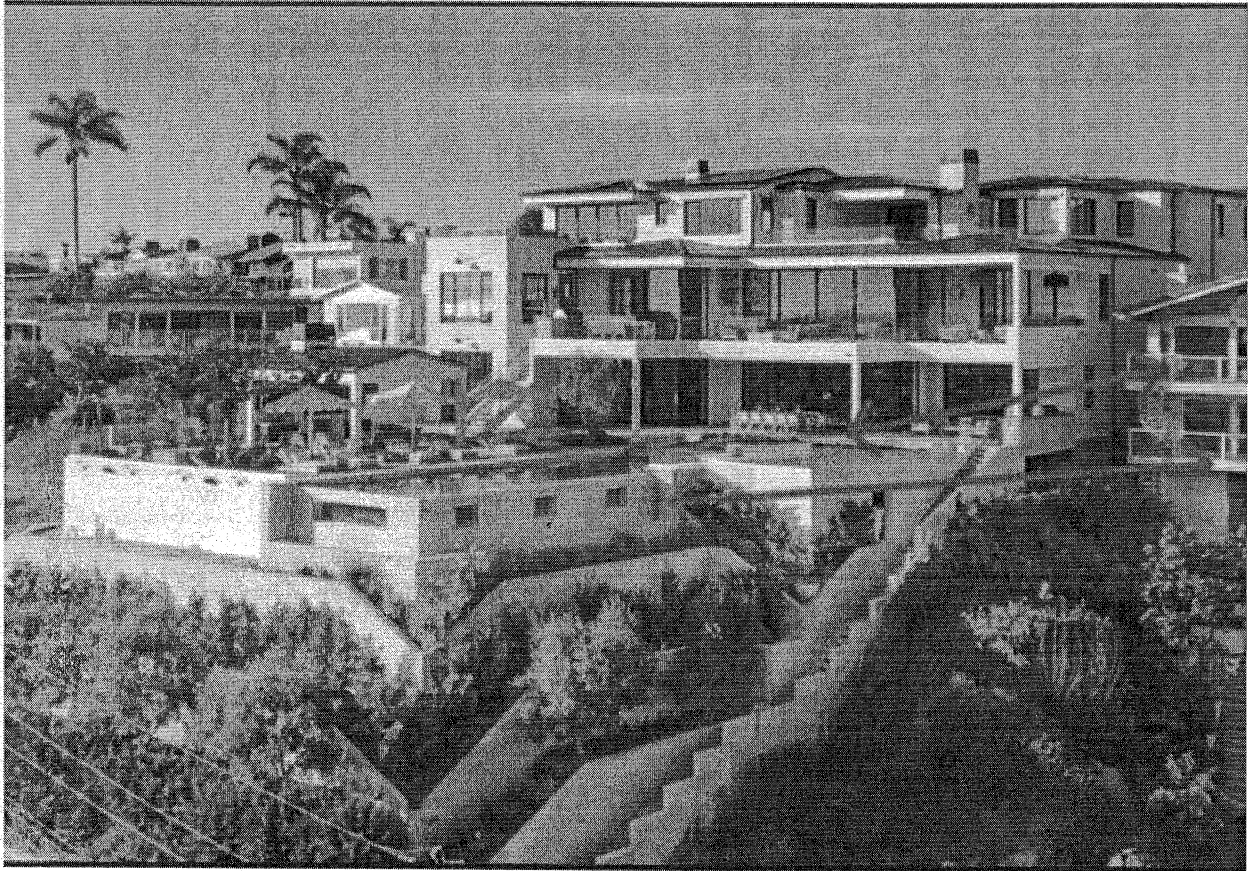
# Exhibit 3



**The View from our Bedroom at  
1121 Kings Road**



# Exhibit 4



The neighbors at 1101 Kings Road (west side) who have a full view of the pool, cabana at 1113 Kings Road (Reed's Residence), no privacy concerns on this side?



















