

**From:** Lynn Lorenz <lynnierlo@aol.com>  
**Sent:** Friday, September 06, 2019 10:40 AM  
**To:** Dept - City Council; City Clerk's Office  
**Subject:** King's Road

Attention City Clerk's Office

Please include this in packet for September 10th Meeting on Study Session for King's Road Residential Project Hearing

Please acknowledge receipt of email,

Thank you, Lynn Lorenz, September 6, 2019

Kings Road in Cliff Haven has suffered because of the absence of a mandatory HOA. It is struggling right now with trying to maintain the harmony of the neighborhood architecturally and emotionally. Views are being threatened and the size of the houses vary to the extent that a few houses are twice the size of the norm. **The house being considered is 10,800 square feet, not including the garage, while the approximate average size of homes in the area is between 3,000 and 5,000 square feet.** These large houses that have been built or are in the planning stages are also threatening to damage the site's natural topography-the bluffs. In so doing, they threaten to affect the public views from Pacific Coast Highway, a designated coastal view road.

One might think that the City would have become more directly involved in protecting views and the bluffs. Private views are not in their purview but public views are. And the City does have height standards. **But what has been affecting the symmetry of King's Road and other Newport Beach neighborhoods the most is the City's granting of building variances to excess.** Many of the variances they have been granting in recent years are "luxury" rather than "hardship" variances. And building standards due to variances are being challenged to the extent that HOA's no longer have the power they once had.

It is not surprising that Cliff Haven and/or Kings Road do not have mandatory HOA's because of their age. This is true also in the Heights Area adjacent to Kings Road. During the era that these neighborhoods were first established, neighbors relied on the civility of the community. It would have been rare to find someone who would block the coastal view of an adjacent neighbor, and the city would have granted variances very sparingly. In our modern world most people do not often know their neighbors and community spirit is lacking. Individuals are more concerned about what they think are their personal property rights regardless of what that means to their neighbors. As a result, large houses are being built now that block neighbors' views and their light as well. And no one seems to be stopping them.



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## **Chatten-Brown, Carstens & Minter LLP**

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**Michelle Black**  
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September 6, 2019

**Via Email**    [jmurillo@newportbeachca.gov](mailto:jmurillo@newportbeachca.gov)  
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Jaime Murillo, Principal Planner  
Seimone Jurjis, Community Development Director  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660

Re:    September 10, 2019 City Council Agenda, Public Hearing Item # 20.  
      Appeal of Variance No. VA2019-002 for 1113 Kings Road

Honorable Councilmembers:

Stop Polluting Our Newport (SPON) submits these comments in support of its appeal of the Planning Commission's May 23, 2019 decision to approve Variance No. VA2019-002 for the property located at 1113 Kings Road. The Applicant requested the variance to enable the demolition of the existing, 3,013 square foot residence and replacement of that home with a building nearly three times larger. Although touted as a single-family home, the new building would be 10,803 square feet with a 1,508-square foot garage, itself the size of a 3-bedroom home. The variance is specifically requested to enable the building to exceed the applicable 29-foot height limit for sloped roofs and the 24-foot height limit for flat roofs and decks.

The Applicant could easily construct a large, luxurious home on the site, within the permitted building envelope, without the variance. The property is already in parity with others in the vicinity, despite its topographical challenges. Accordingly, the City cannot find that "the strict application of the [height limit] denies the property owner privileges enjoyed by other property owners in the vicinity" as required by Newport Beach Municipal Code section 20.52.090. Additionally, the proposed building is demonstrably incompatible with the neighborhood's other residences located on Kings Road and would eliminate treasured public views of the ocean. Finally, SPON is concerned about the precedent set by permitting unnecessary variances from the City's carefully-crafted planning standards. If the City permits the variance at 1113 Kings Road, where does it end?

SPON respectfully requests that the City Council sustain its appeal and reverse the Planning Commission's approval.

**I. The City Cannot Make the Findings Required for a Variance.**

Newport Beach Municipal Code section 20.52.090 A provides that the purpose of a variance is to “waive or modify certain standards of the Zoning Code when, because of special circumstances applicable to the property...the strict application of the development standards otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district.” California Government Code section 65906, authorizing variances, is nearly identical and emphasizes that variances “shall not constitute a grant of special privileges.”

On the contrary, variances exist to ensure *equity* in an area, not to grant special privileges inconsistent with the limitations applicable to all properties in an area. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 511 [“effort to achieve substantial parity”].)

Pursuant to State law and the City's municipal code, the City must make six (6) findings to lawfully approve a variance:

- 1) There are special or unique circumstances or conditions applicable to the subject property (e.g., location, shape, size, surroundings, topography, or other physical features) that do not apply generally to other properties in the vicinity under an identical zoning classification;
- 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;
- 3) Granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant;
- 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;
- 5) Granting of the variance will not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood; and

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

(Newport Beach Municipal Code section 20.52.090 F.)

The Staff Report relies on the site's steep topography and the presence of a gully at the eastern property line to determine that the site has "special or unique circumstances or conditions applicable to the subject property... that do not apply generally to other properties." (Staff Report, p. 4.) While the property is topographically unique, the City's inquiry does not end with the first required finding. The City is required to find that the unique topography prevents the construction of a single-family home similar to others in the vicinity to the detriment of the Applicant. The City must support these findings with substantial evidence. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 514-515; *Cow Hollow Imp. Club v. DiBene* (1966) 245 Cal.App.2d 160, 171.) Yet, the evidence in this case does not support the required findings. Instead, it is clear that the property can (and does) support a single-family home without the variance, and that the Applicant seeks the variance to maximize the scale and future value of the proposed building.

**A. Strict Compliance with Zoning Code Requirements Would Not Deprive the Subject Property of Privilege Enjoyed by Other Properties in the Vicinity and Under an Identical Zoning Classification.**

Strict compliance with the Zoning Code requirements merely limits the Applicant to a building height of 29 feet and a deck height of 24 feet. It does not prevent construction of a single-family home on the site. This is illustrated by the existence of a 3,013-square foot single-family home on the property today. Thus, a variance is not needed to bring parity when the property's potential uses are compared to others in the vicinity. Nor do the existing height limits prevent the construction of the largest residence in the neighborhood. (City Council Staff Report, p. 5 [indicating locations of planned height exceedence].)

The Planning Commission Staff Report states that eliminating the variance requires:

Modifying the proposed design to eliminate the height variance for enclosed living spaces would require eliminating an office on the main level...and eliminating or significantly reducing the size of an upper level closet, bathroom, and teen room. Modifying the design to eliminate the height variance for the outdoor living areas would require eliminating the roof cover over the deck ...and reducing the size of

the upper level deck.

(Planning Commission, May 2019 Staff Report, p. 11.) Other homes in the area average 4,500 square feet – less than half the size of what is proposed at 1113 Kings Road. Thus, the elimination of luxuries such as additional closets, larger bathrooms, and a teen room in a nearly 11,000-square foot house, would not deprive the Applicant’s property of privileges enjoyed by other identically-zoned properties in the vicinity. If anything, the denial would preserve neighborhood parity.

The City proposes to find hardship in not having the “privilege of designing a two-level terraced design across the buildable width of the lot” and “the privilege of building a residence of uniform height.” (Proposed Findings, p. 3.). Neither of these constraints prevents the construction of a fine and luxurious home. In *Broadway, Laguna, Vallejo Assn. v. Board of Permit Appeals* (1967), the California Supreme Court found that a difference between the sizes of buildings that can be built due to unique conditions is an insufficient ground for a variance. There, the applicant sought a variance from the applicable floor to area ratio due to challenging soil conditions that made construction more expensive. The Court found the city lacked authority to issue the variance, holding:

If the “adversity” to which the board referred were such that enforcement of the floor area regulations would effectively deprive the developer of the ability to construct a reasonably profitable multi-unit structure in an area zoned for multi-unit construction, then the requisite disparity of treatment might be established. As we have seen, however, that is not this case. At most, the developer here has suggested that, unless code requirements are relaxed, multi-unit development will prove somewhat less profitable on his lot than on other lots in the same zone. *The short answer to the developer’s argument is that zoning variances were never meant to insure against financial disappointments.*

(*Broadway, Laguna, Vallejo Ass’n v. Board of Permit Appeals of City and County of San Francisco* (1967) 66 Cal.2d 767, 780–781, emphasis added.). No less than the Supreme Court of California would find a lack of substantial evidence supporting the City’s finding that the existing height limits “deprive the homeowner privileges of a residence burdened by the cost, inconvenience, and loss of functionality enjoyed by other properties in the vicinity.” (Proposed Findings, p. 3.) Here, the Applicant claims that the gully and steep topography will merely prevent it from constructing a larger office, teen room, bathroom, and covered deck than it could without a variance. The City could not, and should not, insure the Applicant against the mild financial disappointment of constructing “only” a large, ocean view luxury home, with a 4-car garage, in Newport Beach.

**B. Granting of the Variance is Not Necessary for the Preservation and Enjoyment of Substantial Property Rights of the Applicant.**

The City cannot support the finding required by Municipal Code section 20.52.90 F(3). In fact, a single-family home currently occupies the site. While the Applicant desires to demolish the existing home, the demolition is the Applicant's choice. Thus, the City need not grant the variance to preserve the Applicant's property rights or their enjoyment of those rights. The Applicant's preferences for a larger home, an ocean view office, a large teen room, or a covered patio do not endanger the Applicant's preservation or enjoyment of substantial property rights. (*Nollan v. California Coastal Com'n* (1987) 483 U.S. 825, 834 ["We have long recognized that land-use regulation does not effect a taking if it 'substantially advance[s] legitimate state interests' and does not 'den[y] an owner economically viable use of his land'"].)

The Staff Report claims, "denial of the variance would significantly impact the functionality of the home design." (Staff Report, p. 9.) Again, it was the Applicant's choice to design a residence that requires a variance from the City's land use regulations in the first place. The need to redesign a luxury home to comply with existing and well-known regulations applicable to the Project site should not be considered a burden, much less a deprivation of property rights. The Supreme Court is clear: "[S]elf-imposed burdens cannot legally justify the granting of a variance." (*Broadway, Laguna, Vallejo Ass'n v. Board of Permit Appeals of City and County of San Francisco* (1967) 66 Cal.2d 767, 778.)

The Staff Report further claims that modification to the design to build without a variance "would effectively reduce the buildable width from approximately 90 percent of the lot width to 72 percent of the lot width at those locations." (Staff Report, p. 9.) A regulation preventing development of a mere 28 percent of a lot hardly denies the Applicant an economically viable use of their land. The Applicant's lot is larger than most in the neighborhood, and they can build a very large home even using 72 percent of the frontage.

Of the approximately 100 homes on Kings Road, four have been granted variances. Variances were granted for 1113 Kings Road to build the existing 3,013-square foot home. Variances were also granted for homes of 3,767 square feet (1201 Kings Road) and 3,649 square feet (1101 Kings Road). With the exception of the home located at 1821 Kings Road (8,801 square feet), the variances were sought to construct residences that are compatible with neighborhood scale.

The California Supreme Court has held that, so long as the property can be put to effective use consistent with the existing zoning without the variance sought, an agency's grant of a variance exceeds its authority. (*Broadway, Laguna Assn. v. Board of Permit*

*Appeals* (1967) 66 Cal.2d 767, 775.) A variance cannot be granted just to increase the value of an Applicant's property or to relieve an applicant from undesired costs to comply with existing regulations. (*Ibid.*) As a community member asked, "how would not having an office on the main level...eliminating or significantly reducing the size of an upper level close, bathroom and teen room...prevent the property from being put to effective use consistent with existing zoning without the variance sought?" The City cannot make this finding.

**C. Granting of the Variance Will Constitute a Grant of Special Privilege Inconsistent with the Limitations on Other Properties in the Vicinity.**

As described above, the purpose of a variance is to relieve a property owner of land use regulations that, due to the unique characteristics of that piece of property, prevent the landowner from using their property in the same manner as surrounding property owners. The goal is equity with surrounding landowners. (*Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506, 511.) Here, however, the variance is not needed to construct a comfortable single-family home. There is already one located on the property. Instead, the variance is required so that the Applicant need not undergo the inconvenience of eliminating an office, reducing the size of a closet, bathroom, or teen room, or reducing the shading over of an outdoor deck. (City Council Staff Report, p. 5.) The modified building would still be much, much larger than the average, 4,500-square foot home on the bluff. Even if the entire upper floor needed removal to avoid a variance, which it does not, the building would still exceed 7,500 square feet (bottom two levels are 4,177 and 3,361 square feet). The garage, alone, would remain the size of a typical three-bedroom home.

Instead of helping to achieve parity, granting a variance from the height requirement to enable larger closets, bathrooms, a teen room, and larger outdoor decks constitutes a grant of special privilege. Most single-family homes do not have teen rooms or multiple outdoor decks. Granting a variance on these grounds turns the purpose of a variance on its head and is unfair. As the Supreme Court found with the denial of another variance, where the land was already being used as the Applicant sought, "When the [city] denied petitioners' application for a variance it did not take away a property right, but merely refused to grant a favor." (*Rubin v. Board of Directors of City of Pasadena* (1940) 16 Cal.2d 119, 126.) It is the same here. The City cannot support the finding required by Municipal Code section 20.52.090 F(4).

**D. Granting of the Variance Will Be Detrimental to the Harmonious and Orderly Growth of the City and Constitute a Hazard to the Public Convenience, Interest, and General Welfare of Persons Residing and Working in the Neighborhood.**

Members of the community have presented evidence that the residence enabled by the variance would block public views of the ocean from Kings Road. The City is correct that it does not protect private views, but it does prioritize public views for the pedestrians, bikers and others on Kings Road. The variance's contributions to these lost public views are a hazard to the public convenience and interest of those in the neighborhood. The lost views further prevent the City from making the variance findings required by the Municipal Code.

Moreover, it is clear that the controversy over this variance has rocked the neighborhood and damaged notions of neighborhood harmony. Given that a very large and luxurious home may be designed and constructed at the subject property without the variance, the grant of this variance is detrimental to the *harmonious* and orderly growth of the City. As discussed further below, the grant of this unnecessary variance sets up a situation where property owners will feel entitled to seek a variance from the City's height limits, setbacks, and other regulations imposed for neighborhood compatibility and harmony. Privacy will be lost. Conflicts about views will continue. The potential precedent the City is setting by finding a hardship when a mansion's extra bathrooms, teen room, closet, office, and deck must be downsized because an applicant chose to design outside the permissible building envelope jeopardizes future harmonious and orderly growth. The variance is also incompatible with policies of the General Plan and Zoning Code promoting orderly development and neighborhood compatibility. The City cannot make the finding required by 20.52.090 F(5).

**E. Granting of the Variance Conflicts with the Intent and Purpose of the Zoning Code and the General Plan.**

By enabling development of a gully in a coastal bluff, the variance conflicts with the General Plan. All projects approved in a city must be consistent with the general plan and its elements. "The general plan is atop the hierarchy of local government law regulating land use." (*Neighborhood Action Group v. County of Calaveras* (1984) 156 Cal.App.3d 1176, 1183.) The General Plan has been described "the constitution for future development." (*DeVita v. Napa* (1995) 9 Cal.4th 763, 773, internal citations omitted.) Goal Natural Resources 23 of the General Plan's Natural Resources Element includes policies directed at preserving Newport Beach's natural coastal bluffs. Policy Natural Resources 23.1 directs the City to "Preserve cliffs, canyons, bluffs, and site buildings to minimize alteration of the site's natural topography." The City Council Staff Report acknowledges this policy applies to the site. (Staff Report p. 7.) However, the

Staff Report claims, without evidence, that the Zoning Code allows “by-right, development down the entire slope” of the property because “the hillside has been significantly altered throughout the years.” (*Ibid.*) The Staff Report cites nothing in the General Plan that exempts the entire neighborhood from the operation of the General Plan due to development of Pacific Coast Highway that occurred prior to the General Plan’s adoption. Moreover, the coastal bluff gully on the property at issue has not been removed through years of development. Approval of the variance conflicts with the General Plan’s intent and purpose of protecting coastal bluffs and canyons. The City cannot support the finding required by Municipal Code section 20.52.090 F(6).

Additionally, the General Plan and Zoning Code were implemented to promote harmony and neighborhood compatibility through orderly development. The Project that would be authorized by the variance is incompatible with the neighborhood. Construction of the variance-enabled Project would conflict with the City’s planning goals related to promoting land use compatibility. Land Use Element Policy 5.1.1 requires the City to, “Establish property development regulations for residential projects *to create compatible* and high-quality development that contributes to neighborhood character.” This use of the variance diminishes compatibility and does not promote it. Land Use Policy 5.1.5 specifically promotes “Compatibility with neighborhood development in density, *scale*, and street facing elevations.” This residence is out of scale with the neighborhood. The variance should be denied.

## **II. The Building Proposed for 1113 Kings Road is Incompatible with the Neighborhood.**

At nearly 11,000 square feet, excluding the 1,508 square foot garage, the proposed residence is significantly larger than surrounding homes, even when compared to other large homes on the bluff side of Kings Road. Currently, the largest home on the bluff side of Kings Road is approximately 8,800 square feet. The average home on the bluff is 4,500 square feet. By comparison, the proposed residence would include 10,803 square feet and an additional 1,508-square foot, four-car garage. The residence would include three large levels: a 4,177 square foot lower level, a 3,361 square foot main level, and a 3,265 square foot upper level. The building is clearly incompatible with others in the neighborhood. The construction permissible on the lot without a variance could still produce one of the largest homes in the neighborhood.

Community members analyzed the approximately 100 homes located on Kings Road and the City’s history of granting variances. They determined that 96 percent of homes on Kings Road have been constructed within the allowable building envelope. Only 4 homes were granted a variance, and most of those homes maintained a low profile and articulated their design to preserve views and surrounding property values. Drone footage demonstrates that many of the homes on the bluffs have hills and gullies, yet few

of those homes requested variances. Why? They were not necessary. Nor is the variance requested here necessary to build a house with the amenities or advantages of other homes on Kings Road.

The City's grant of a variance to enable a home three times the size of neighboring homes to exceed height limits promotes neighborhood incompatibility in conflict with the City's zoning regulations and General Plan. (See LU Policy 5.1.5.)

### **III. The City's Grant of this Unnecessary Variance Endangers the Integrity of Newport Beach's Planning Decisions.**

The City established height limits of 29 feet for sloped roofs and 24 feet for decks and flat roofs on Kings Road in order to promote neighborhood compatibility and harmony. This uniformity maintains community character and prevents the conflicts that invariably arise when a residence's excessive height invades a neighbor's privacy, blocks sunlight, or impedes views. For the most part, homes on the bluff side of Kings Road are low-rise to permit ocean views from homes on the inland side of Kings Road. The City's failure to grant SPON's appeal will set a precedent for other property owners that do not wish to comply with the City's land use controls. In the residential context, such a precedent could effectively result in the relaxation of height limits and prohibitions of oversized development throughout Newport Beach's treasured single-family neighborhoods. Variances exist to "minimize the acknowledged evils of 'spot zoning' by amendment of the zoning ordinance." (*Rubin v. Board of Directors of City of Pasadena* (1940) 16 Cal.2d 119, 124.). But this variance promotes spot-zoning-like results and would negatively affect the quality of life of many Newport Beach residents.

Additionally, oversized residences could result in significant new growth, mass, bulk and height inconsistent with surrounding neighborhoods that has never been analyzed under the California Environmental Quality Act (CEQA) or in connection with the City's Land Use Element or other planning documents. The Project claims a CEQA Class 3 exemption for conversion of small structures, but a Class 3 exemption is unavailable for wholesale changes to Newport's residential neighborhoods. SPON urges the City to carefully consider the substantial likelihood that the Project's proposal to use a variance to enable an ocean view office and larger decks will set a precedent for ignoring the City's well-considered land use plans.

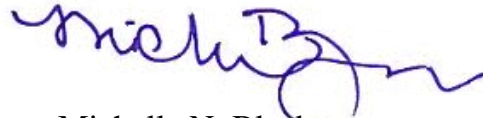
### **Conclusion**

SPON respectfully requests that the City Council reverse the Planning Commission's grant of Variance No. VA2019-002 because it is not necessary to construct a single-family home at 1113 Kings Road with the privileges of other homes on the street. The City's grant of this variance would set an unwelcome precedent that

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undermines all past efforts to protect the City's single-family neighborhoods and the integrity of its long-range planning documents, standards, and regulations. Thank you for your consideration of these comments. We look forward to Tuesday's hearing on the appeal.

Sincerely,

A handwritten signature in purple ink, appearing to read "Michelle N. Black", with a stylized flourish at the end.

Michelle N. Black

cc: Councilmember Diane B. Dixon, [ddixon@newportbeachca.gov](mailto:ddixon@newportbeachca.gov)  
Councilmember Brad Avery, [bavery@newportbeachca.gov](mailto:bavery@newportbeachca.gov)  
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**From:** City Clerk's Office  
**Sent:** Friday, September 06, 2019 1:51 PM  
**To:** Mulvey, Jennifer; Rieff, Kim  
**Subject:** FW: Reed Residence - 1113 Kings Road  
**Attachments:** Scan 2019-9-6 10.10.08.pdf

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**From:** Peggy Palmer  
**Sent:** Friday, September 6, 2019 1:51:20 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Dept - City Council; City Clerk's Office  
**Subject:** Reed Residence - 1113 Kings Road

Attention City Clerk's Office

Please include this in packet for September 10th Meeting on Study Session for King's Road Residential Project Hearing  
Please acknowledge receipt of email,  
Thank you,  
Peggy V. Palmer

The following is the City Staff's argument AGAINST the proposed Reed Project located at 1113 Kings Road. Staff's argument AGAINST the project is far stronger than their argument *for* the project.

We are asking that the City Council send the application back to City Staff and review the four additional options for reconsideration by the Planning Commission.

Thank you,  
Peggy V. Palmer  
Cliff Haven Board Member  
1701 Kings Road  
Newport Beach, CA 92663

The truth is an absolute defense. It is arguable that the variance that was granted by the Planning Commissioners on May 23, 2019 should be appealed by the City Council on the basis and findings presented by the City Staff:

PC2019-015

Section 3 as outlined by the City Staff under required findings states:

Variance:

The Planning Commission may approve a variance application only after making each of the required findings set-forth in NBMC section 20.52.090 (F), (Variance—Findings and Decisions). In this case, City Staff also recommended that if the Planning Commissioners were unable to make the required findings that would result in the following reasons:

1. The Planning Commission determined, in this case, that the proposed variance for the finding required by section 20.52.090 is **not** supported in this case and contradicts the fact in their statement that *"The development may prove detrimental to the community"*.
2. City Staff also states, "The design, location, size and characteristics are not compatible with the single-family residences in the vicinity and would not be compatible with the enjoyment of nearby residential properties."

The above Staff findings gave sufficient facts to deny the application for the variances. In addition, City Staff recommended four viable resolutions that would enable the applicant to build within their "envelope". Mr. Jamie Murrillo, Senior Planner, stated that should the Planning Commission chose to do so, Staff would return with a revised resolution incorporating the new findings and/or conditions.

Under these circumstances, we are recommending that the City Council make the motion to send the application (PA2019-80) back to the City Staff to consider the options and return to the Planning Commission to achieve community consensus.

Furthermore, the Staff report demonstrates the absence of substantial hardship on the part of the property owners and instead shows their desire to maximize the scale and value of their proposed project. Thus, granting the above variance would constitute a grant of special privileges in violation of state law and the Newport Beach Municipal Code.

The applicants proposed 10,800 square foot single-family residence with a new 1,500 square foot garage is not characteristic of the surrounding community. The average square foot home on Kings Road bluff-side is 4,452 square feet with an average 50-foot projection and not the applicant's proposed 100-foot projection. The average square foot home on the north side of Kings Road is 4,058 square feet.

*See Attached Exhibit (A)*

There are approximately 50 homes along the bluff-side of 97% of the homes have been built below the height-limit; this includes new and existing single-family residential structures.

The applicant's representative stated that the request was for **three** variances; however, according to the minutes from May 23, 2019, the applicant's consultant, Ms. Shawna Schaffner the request was actually or **five** variances:

1. Upper Level Eaves
2. The Upper Level Deck
3. Upper Level Railing
4. The Main Level Office
5. The Covered Patio Roof

*In addition, the applicant's consultant stated that this project would be characteristic of the surrounding homes in Cliff Haven. The data and facts do not support this claim.*

*See Attached Exhibit (B)*

Also noted in the May 23, 2019 minutes:

- A. Granting the variance will affect the views for the neighbor to the east of the property.
- B. Deputy Community Director, Jim Campbell indicated that the neighboring property would be subject to the same grade determination procedure used for the project site. Campbell stated, that the neighboring house would probably require a variance, if Staff utilized a similar procedure,

*By allowing these variances, Mr. Campbell is clearly stating that this would set a precedence in the Cliff Haven Community.*

The assertion by Staff that "Granting of the variance will not be detrimental to the harmonious and orderly growth of the City" denies the reality of the situation. The fact of the matter is that the variance is both unnecessary and inappropriate and that approving it will set a very bad precedence that will have a detrimental impact involving all future construction on the bluff-side of Kings Road.

### **Topographic Constraints**

The bluff-side of Kings Road contains many natural valleys and gullies, in which most of the homes have complied with the topography and built within these restraints. The property located at 1113 Kings Road has already been granted a height variance in 1973. The additional variance that was requested was **denied** in 1976; thus, granting five more luxury variances will not be compliant with the "scale" of the neighborhood.

*See Attached Exhibit (C)*

## **General Plan – Land Use Policies**

### **LU 5.6.4 Conformance with the Natural Environmental Setting**

Require that sites be planned and buildings designed in consideration of the property's topography, landforms, drainage patterns, natural vegetation, and relationship to the Bay and the coastline, maintaining the environmental character that distinguishes Newport Beach. (*Imp 2.1, 8.1*).

### **LU 6.19.12 Properties Abutting Bluff Faces**

Require that development projects and design building to maintain the visual quality and maintain the structural integrity of the bluff faces. (*Imp 21.*)

*The proposed variance will further degrade the natural topography of the bluffs, as viewed from the Harbor, as well as, infringing on the visual qualities and character of the surrounding communities.*

### **Summary**

A variance is a deviation from a specific regulation in a code.

This particular variance should be considered a major variance that will involve significant neighborhood impacts, such as over-concentration, incompatible uses, and overpowering size.

This proposed massive structure 12,300 square feet, to include a four-car garage, is seeking five additional luxury variances to the existing variances, will be out of character from scenic vistas. This will be the largest home in Cliff Haven, even without these additional height-variances.

The following was outlined in the City Staff's May 23, 2019 meeting:

"The design, location, size and characteristics are not compatible with the single-family residences in the vicinity and would not be compatible with the enjoyment of nearby residential properties."

### **In closing**

The applicant met with six members of the Cliff Haven community on June 1, 2019 at 2:00 PM at 1701 Kings Road. Mrs. Reed stated that she would for-go the variances **IF** the community paid for her Consultant fees and her Planning Commission fees. According to Mrs. Reed, a monetary request or refund at the expense of the neighbors would eliminate the need for these variances. This clearly indicated that these variances should be denied, as they are clearly **not** "hard-ship" variances, but rather "luxury" variances.

We ask that the City Council send back the application for 1113 Kings Road Variance-VA2019-002 to the Planning Commission to review the four additional options that the City Staff had recommended to the applicant.

# Five Variances NOT 3

## 1113 Kings Road – Proposed Variance Request

- 3 areas require variance
  - Upper level eaves 57 square feet
  - Upper level deck and railing 26 square feet
  - Main level office roof and covered patio roof 270 square feet

# **Kings Road Bluff Residences**

Address	Owner	SqFt
303 Kings Rd	Luu	4,391
311 Kings Rd	Vail	6,944
321 Kings Rd	Yung	3,780
403 Kings Rd	Heuser	6,802
411 Kings Rd	Geerlings	2,726
421 Kings Rd	Vegher	4,379
503 Kings Rd	Hill	3,316
511 Kings Rd	Hilford	1,951
521 Kings Rd	Otte	4,474
603 Kings Rd	Palanjan	6,660
607 Kings Rd	Schreiber	5,802
615 Kings Rd	Great Pacific Invest, LLC	5,082
625 Kings Rd	Sarvak	2,808
701 Kings Rd	Omer Long	4,264
709 Kings Rd	Lacher	8,726
717 Kings Rd	Walker	2,797
801 Kings Rd	Sokolich	1,329
811 Kings Rd	Peikert	3,965
901 Kings Rd	Vanderhook	5,070
911 Kings Rd	Platt	5,895
1001 Kings Rd	Alexander	2,723
1011 Kings Rd	D'Eliscu	3,400
1021 Kings Rd	Freeman	3,178
1031 Kings Rd	Kralick	4,233
1101 Kings Rd	Yomtoubian	3,649
1113 Kings Rd	Reed	3,013
1121 Kings Rd	Azadian	1,360
1201 Kings Rd	Navai	3,767
1211 Kings Rd	Whitney	2,367
1221 Kings Rd	Acalin	1,851
1301 Kings Rd	Gregory	5,192
1311 Kings Rd	Kuhn	5,458
1401 Kings Rd	Szabo	4,912
1411 Kings Rd	Matich	3,771
1421 Kings Rd	Escalette	3,014
1501 Kings Rd	Fosheim	3,863
1511 Kings Rd	Fink	8,510
1521 Kings Rd	Senick/Kraus	1,943
1601 Kings Rd	Le	5,155
1611 Kings Rd	Streiff	5,373
1621 Kings Rd	Minney	1,798
1701 Kings Rd	Palmer	3,543
1721 Kings Rd	Al-Tuwaijri	4,548
1821 Kings Rd	Hill	8,801
1831 Kings Rd	Macbeth	5,677
1901 Kings Rd	Behr	8,365
1911 Kings Rd	Kings RD, LLC	2,347
1921 Kings Rd	Pickard Flores	3,030
2001 Kings Rd	Barfield	3,874
2011 Kings Rd	Brutman	7,699

(torn down)  
(largest)

4,352 Ave sqft on the Bluff

# **Kings Road Non-Bluff Residences**

Address	Owner	SqFt
302 Kings Rd	Irvine Company	2,624
320 Kings Rd	Vernola	6,681
402 Kings Rd	DeCinces	2,182
410 Kings Rd	Weiner	2,077
420 Kings Rd	Dru	4,496
502 Kings Rd	Drayton	2,800
510 Kings Rd	Finney	3,494
520 Kings Rd	Krickl	4,173
530 Kings Rd	Bailey	6,436
602 Kings Rd	Edmonds	4,637
610 Kings Rd	Lichman	4,267
660 Kings Rd	Amirie	4,861
700 Kings Rd	Rowe	3,316
710 Kings Rd	Stauber	4,334
800 Kings Rd	Trotter	1,358
810 Kings Rd	Elmore	5,337
900 Kings Rd	Schuler	4,248
910 Kings Rd	Steinmann/Soto	2,900
920 Kings Rd	Seymour	7,127
1000 Kings Rd	McIntosh	4,279
1010 Kings Rd	D'Eliscu	6,331
1020 Kings Rd	Schaison	4,841
1100 Kings Rd	Mau	1,628
1110 Kings Rd	Williams	3,275
1120 Kings Rd	Stedfield	1,669
1200 Kings Rd	Bush	2,439
1210 Kings Rd	Huang/Yanan	4,411
1300 Kings Rd	Sze	5,334
1310 Kings Rd	Millen	3,617
1400 Kings Rd	Frum	4,379
1410 Kings Rd	Robertson	8,235
1420 Kings Rd	Kumagai	3,933
1500 Kings Rd	Hochwald	3,400
1510 Kings Rd	Reynolds	3,824
1520 Kings Rd	EPC Holdings, LLC	2,991
1600 Kings Rd	Gyulay	3,905
1610 Kings Rd	Guluzyan	1,981
1620 Kings Rd	Foroutan/Soltani	3,708
1700 Kings Rd	Hernandez	6,753
1710 Kings Rd	Brubaker	3,019
1720 Kings Rd	Werner	1,904
1800 Kings Rd	Adams	5,377
1810 Kings Rd	Carson	4,542
2000 Kings Rd	Bayer	5,428

(Currently under construction)

(torn down)

(largest - two lots)

(Currently under construction)

4,058 Ave sqft Non-Bluff

Average size  
homes

**Requested permit number:** VA1033**Permit Number** VA1033**Status** APPROVED**Work Description** APPROVED WITH CONDITIONS**Occupancy****Class Code****Sub Type****No. of Bldgs.** 0**Insp. Area****Validated by****Inspection Area****Assigned Inspector****Inspector Phone**

Variance

Approved

1973

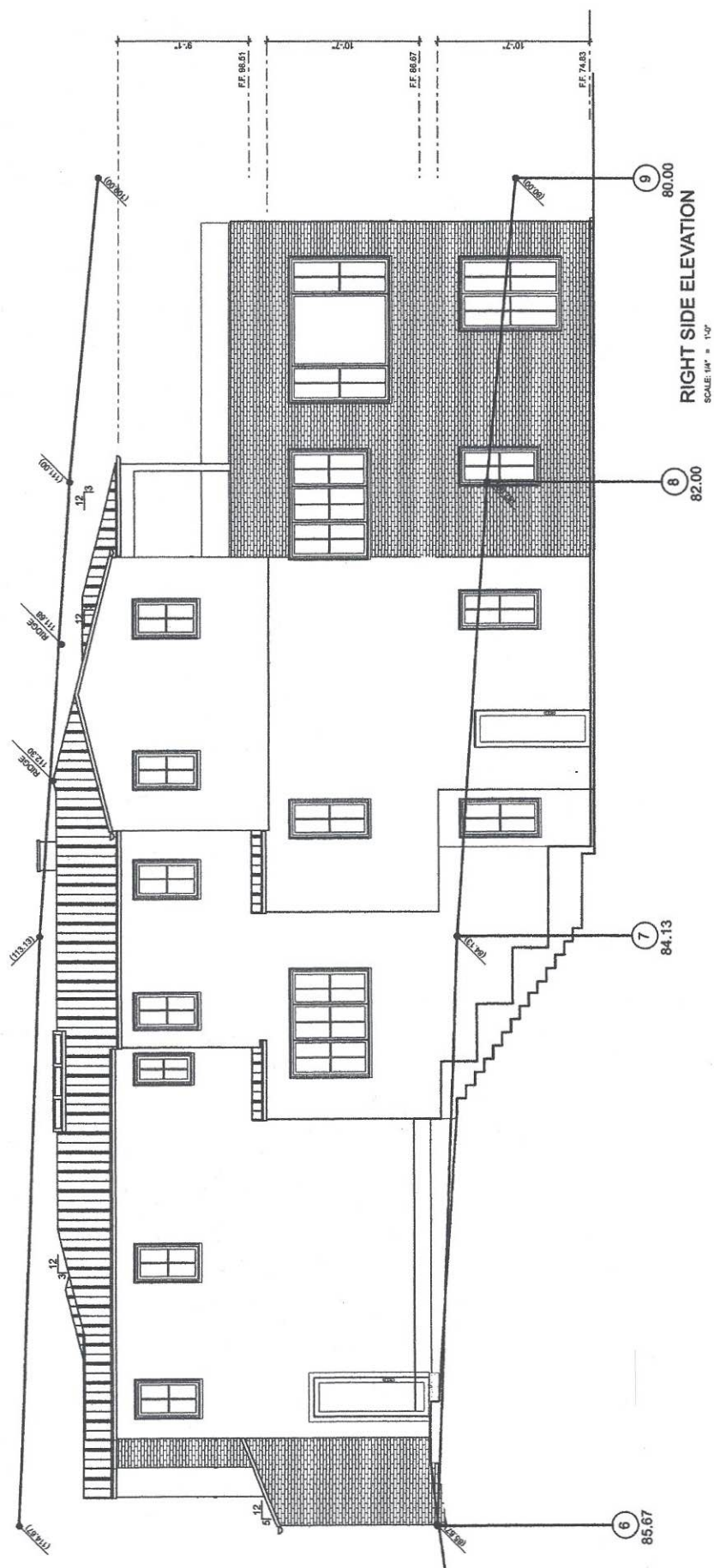
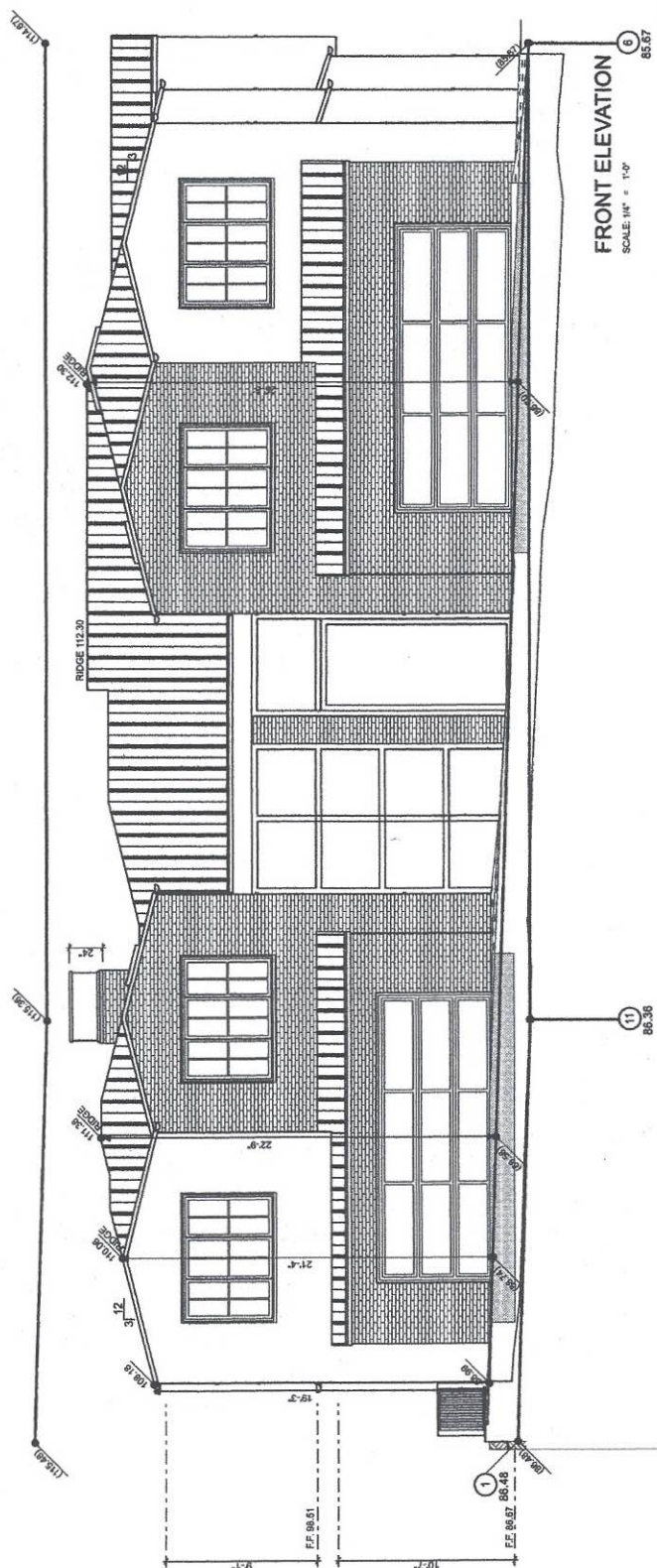
**Entered Date** 7/23/2008**Date Applied****Date Approved** 7/13/1973**Date Final****Date Activity Expires**

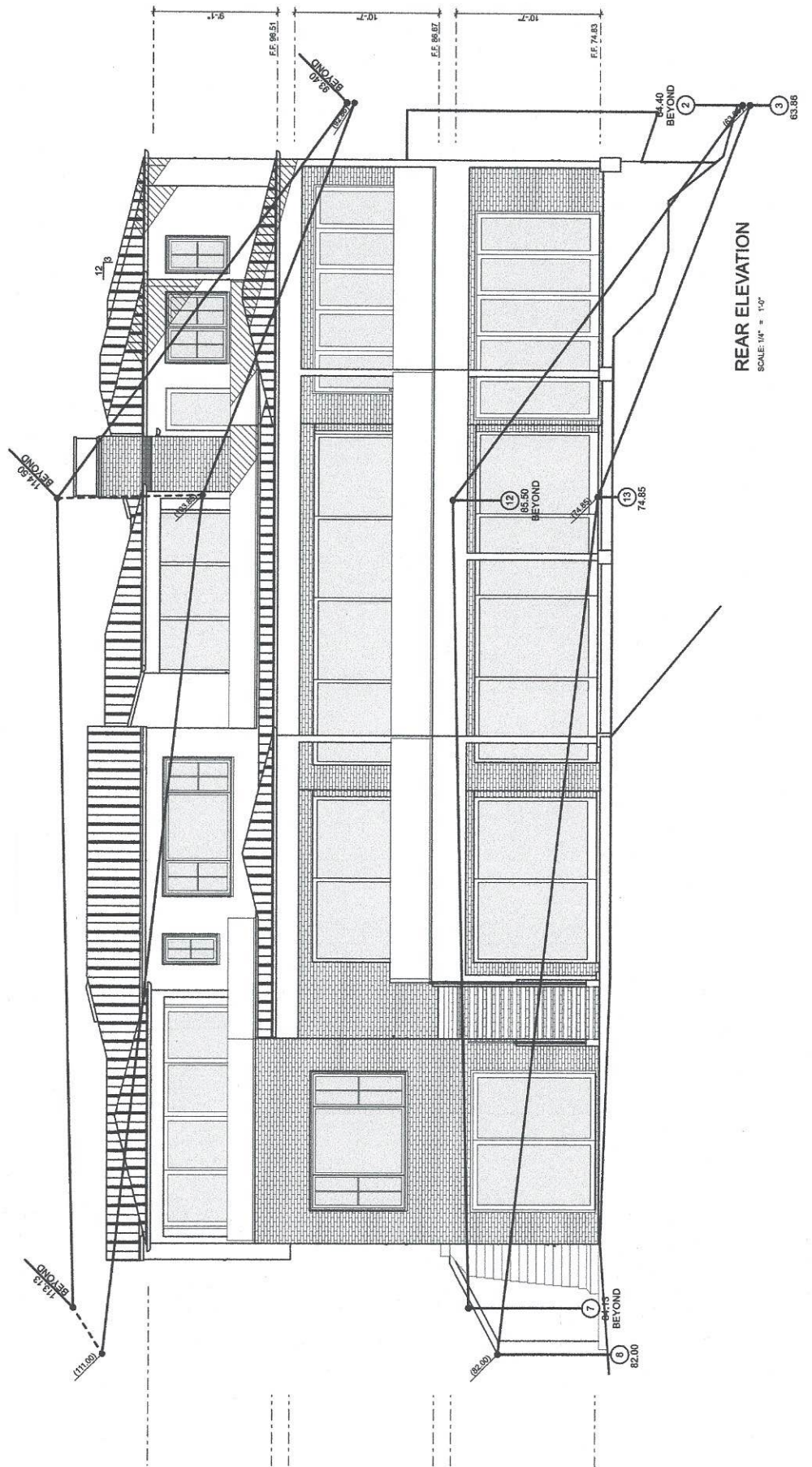
Exhibit C

**Requested permit number:** VA1053**Permit Number** VA1053**Status** DENIED**Work Description**PC APROVED WITH CONDITIONS 12/4/1975 REHEARING - PC DENIED  
5/20/1976**Occupancy****Class Code****Sub Type****No. of Bldgs.** 0**Insp. Area****Validated by****Inspection Area****Assigned Inspector****Inspector Phone****Entered Date** 7/25/2008**Date Applied****Date Approved****Date Final****Date Activity Expires****Denied HT. Variance  
1976****Exhibit C**

Example: 8,800  
square foot  
home







---

**From:** City Clerk's Office  
**Sent:** Friday, September 06, 2019 2:11 PM  
**To:** Mulvey, Jennifer; Rieff, Kim  
**Subject:** FW: Video of Cliff Haven - 1113 Reed Residence Application

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**From:** Peggy Palmer  
**Sent:** Friday, September 6, 2019 2:11:58 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Dept - City Council; City Clerk's Office  
**Subject:** Video of Cliff Haven - 1113 Reed Residence Application

**Good Afternoon Mayor Dixon and Honorable City Council Members:**

**Please see the attached drone footage that was taken this past week.  
(As you can see, we had a beautiful day in Newport Beach).**

**At the beginning of the footage, you will see the homes on the inland side of Kings Road; most are consistent in height that allow for these properties to see a portion of the bay, (if not obstructed by the Balboa Bay Club), but most of these homes do have a view of the ocean.**

**In the second sequence, you will note that the homes on the bluff-side have maintained throughout the years, a low profile when building, as seen in the video. There are approximately [100 homes on Kings Road](#) and there have been about four homes that were granted variances, the Reed residence had been granted previous height exceptions and is now requesting for an additional five "hardship" height variances.**

**PROPERTY  
HOME SFT. LOT SFT.  
COMMENTS:  
1821 Kings Road\*  
8,801 9,296  
[1201 Kings Road](#)  
3,767 9,396  
[1101 Kings Road](#) 3,649 10,500  
[1113 Kings Road](#)  
3,013 17,848  
12,300 - with additional five variances**

**\*Largest square-foot home on Kings Road**

**This means that 96% of the homes have built within their envelope; the homes that were**

granted a height variance have mostly maintained a low profile and have articulated their property as a courtesy to the surrounding neighbors; thus, allowing their neighbors to keep their views and property values.

The third sequence, you will note the drone footage of both the homes on the bluff and the homes on the inland portion of Kings Road and you will see the symmetry of the homes in relation to the bluffs. You will note that many of these properties have unique topography and valleys and hills and that many of the owners have built within their constraints and have not requested for "hardship" variances.

In the fourth and final footage, illustrates that the homes along Kings Road are consistent in relationship to the bay and the bluffs. The applicants home will be clearly out of proportion for the neighborhood. *It appears that the Reeds are taking full advantage of the so-called "hardship" height variances.*

Please let me know your thoughts and comments, as I believe that we can make a reasonable argument to have the City Council move this back to both the City Staff and the Planning Commission to further review the four recommendations as previously requested.

**Peggy V. Palmer**

[Click to Download](#)

Reeds 1.mp4  
336.9 MB

Christopher Kralick  
1031 Kings Road  
Newport Beach, CA 92663  
(949) 378-6878

September 6, 2019

Councilmember Diane B. Dixon  
Councilmember Brad Avery  
Councilmember Duffy Duffield  
Councilmember Kevin Muldoon  
Councilmember Jeff Herdman  
Councilmember Joy Brenner  
Councilmember Will O'Neill  
City Clerk Leilani I. Brown

RE: Variance for "Reed" Residence at 1113 Kings Road

Dear Councilmembers and City Clerk,

I have read the letter in opposition to the granting of a variance for the proposed mansion at 1113 Kings Road provided by Stop Polluting Our Newport (SPON). I can appreciate the many legal arguments made by that association. I also have read some of the documentation pertaining to the geological surveys conducted on the above referenced property.

My opposition to the proposed project is not based on either established legal precedent nor on sophisticated soil sampling calculations. Nor am I arguing to save my ocean view, a portion of which this project will eliminate. My opposition is a very practical and pragmatic one. A few years ago when we had our last significant El Nino season, I personally saw a portion of the east facing hillside supporting the Reed residence calve off, much like a glacier would, and slide into the backyard of the residence located at 1101 Kings Road.

My concern is that if a 12,300 square foot mansion is constructed in place of the current 3,013 square foot residence, a weather related event similar to what occurred a few years ago, will potentially result in a catastrophic collapse of the proposed residence and may quite possibly take my house and the house at 1101 Kings Road with it. And who knows how many other properties on the ocean side of Kings Road it could destabilize.

It would seem that allowing the construction of the proposed residence, and ignoring the warning signs from previous years, is a welcome invitation to disaster.

Very truly yours,

Christopher Kralick

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**From:** City Clerk's Office  
**Sent:** Sunday, September 08, 2019 11:48 PM  
**To:** Mulvey, Jennifer; Rieff, Kim  
**Subject:** FW: Reed Residence at 1113 Kings Roa  
**Attachments:** Scan 2019-7-26 12.14.32.pdf

---

**From:** mshalieh33@gmail.com  
**Sent:** Sunday, September 8, 2019 11:49:26 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** City Clerk's Office  
**Subject:** Reed Residence at 1113 Kings Roa

Councilmember Diane B. Dixon  
Councilmember Brad Avery  
Councilmember Duffy Duffield  
Councilmember Kevin Muldoon  
Councilmember Jeff Herdman  
Councilmember Joy Brenner  
Councilmember Will O'Neill  
City Clerk Leilani I. Brown

RE: Reed Residence at [1113 Kings Road](#)

Good Evening Mayor Dixon and Honorable City Council Members and City Clerk,

My name is Manizheh Yomtoubian and I am the owner of [1101 Kings Road](#) which is the home right next-door to the applicants home, known as the Reed residence.

My home shares a portion of the adjacent gully and we built our home without any variances, nor did we cause harm to the surrounding neighbors. We respected all of our neighbors to the east, west and north of our property. The structure being considered will significantly impact our home and should be considered a public nuisance. It's mass and density will eliminate light, privacy and has the potential to compromise both my home and the home located at [1121 Kings Road](#).

The engineering Geologic Inspection dated July 25, 1973 for the property located at [1113 Kings Road](#), suggests that the topography has a downhill creep area and describes "passive soils". Passive Soils are further described as, "**Active earth pressure** is the **earth pressure** when the wall retaining the **soil** moves away from backfill. ... **Passive earth pressure** is the **earth pressure** exerted when the wall moves towards the backfill. Coefficient of **earth pressure** is the ratio of vertical compressive stress and horizontal stress".

The study further suggests that there is fill dirt up to 12 feet in depth in some locations. Hypothetically speaking if a 12,300 square-foot structure is erected at this site that both 1101 and [1121 Kings Road](#) could be in jeopardy. The report states that footings on the slope will be subject to horizontal loads due to the downhill creep.

We really need to ask the question IF this is the **real** reason that the applicant is NOT terracing down the bluff, like all of the other larger homes along Kings Road.

As a retaining wall costs on the bluff are between 1.5 - 2 million dollars.

At this time, please deny the Reed application, until further professional analysis can be provided.

Thank you for your time,

Manizheh Yomtoubian

1101 Kings Road

Newport Beach, Ca 92663

949-903-5599

[1101 Kings Road - Front](#) of my home

Rear of of my home - Bayside

# Existing with Proposed Overlay



3Attached Images





Sent from my iPhone

**H.V. Lawmaster & Co., Inc.**  
TESTING AND INSPECTION ENGINEERS

July 25, 1973

H. V. LAWMASTER, PRESIDENT  
B. S. GEOLOGY  
WILLIAM T. CORUM, V. PRES.  
R.C.E. NO. 6207  
JOHN K. EARNEST, V. PRES.  
B. S. GEOLOGY  
RAY E. EASTMAN  
REG. NO. 423

Mr. J. D. Walling  
1113 Kings Road  
Newport Beach, California

File No. 73 - 1836

Subject: Engineering Geologic Inspection  
Site of Proposed Garage  
1113 Kings Road  
Newport Beach, California

File

Dear Sir:

Pursuant to your request, we have reviewed the site conditions and plans for the proposed garage as reflected on the drawings prepared by C. M. Thomson dated June 21, 1973, to identify geology and foundation factors pertinent thereto.

SITE AND GEOLOGY CONDITIONS

The site features and topography are shown on the accompanying Plot Plan and Sections taken from the aforementioned drawings dated June 21, 1973.

Field inspection reveals that the garage site is underlain by existing fill of 4 to 12 feet in estimated depth, then bedrock comprised of firm Terrace Deposit and the Capistrano formation.

OK  
1/14/76

## CONCLUSIONS AND RECOMMENDATIONS

Existing conditions and slopes appear grossly stable within the site.

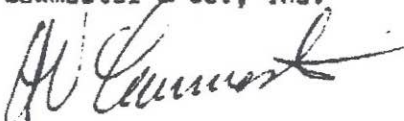
It is understood that the bulk of existing fill was placed some 30 years ago and, thusly, would not meet present day standards for compacted fill. Therefore, it is recommended that foundations be established in the firm materials underlying the fill. An allowable bearing value of 1,500 pounds per square foot is considered applicable for footings of 12 inches in minimum width and depth, and at a minimum horizontal setback of 5 feet from the slope face.


Footings constructed on the slope will be subject to horizontal loads due to downhill creep of the materials above the bedrock. It is recommended that such footings be designed for an assumed horizontal force of 1000 pounds per lineal foot for the full length of penetration through the soil. This force may be resisted by passive soil bearing and friction provided by the bedrock and the beams at grade.

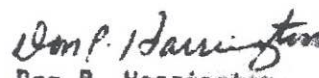
Lateral bearing for foundations as above may be designed for 400 pounds per square foot per foot of depth into bedrock. A corresponding friction coefficient of 0.4 is applicable for determination of the friction value between foundations and underlying material. These values may be combined provided that the lateral bearing does not exceed 2/3 of the total allowable lateral bearing value.

Please do not hesitate to contact us if you have any questions concerning this report.

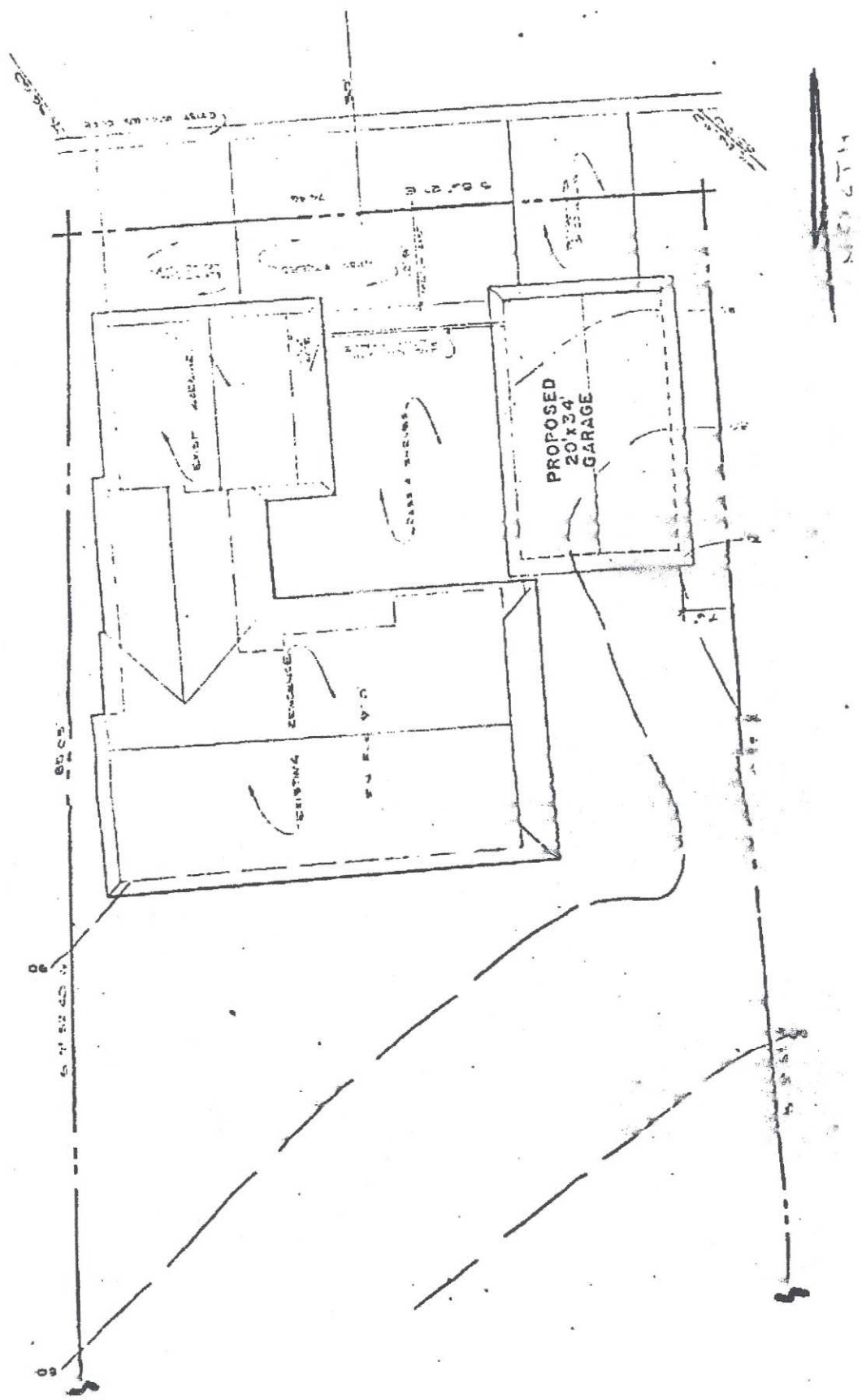
Respectfully Submitted,  
H. V. Lawmaster & Co., Inc.

  
H. V. Lawmaster

  
Ray Eastman  
R.E.G. No. 423

  
Don P. Harrington  
R.C.E. No. 18181

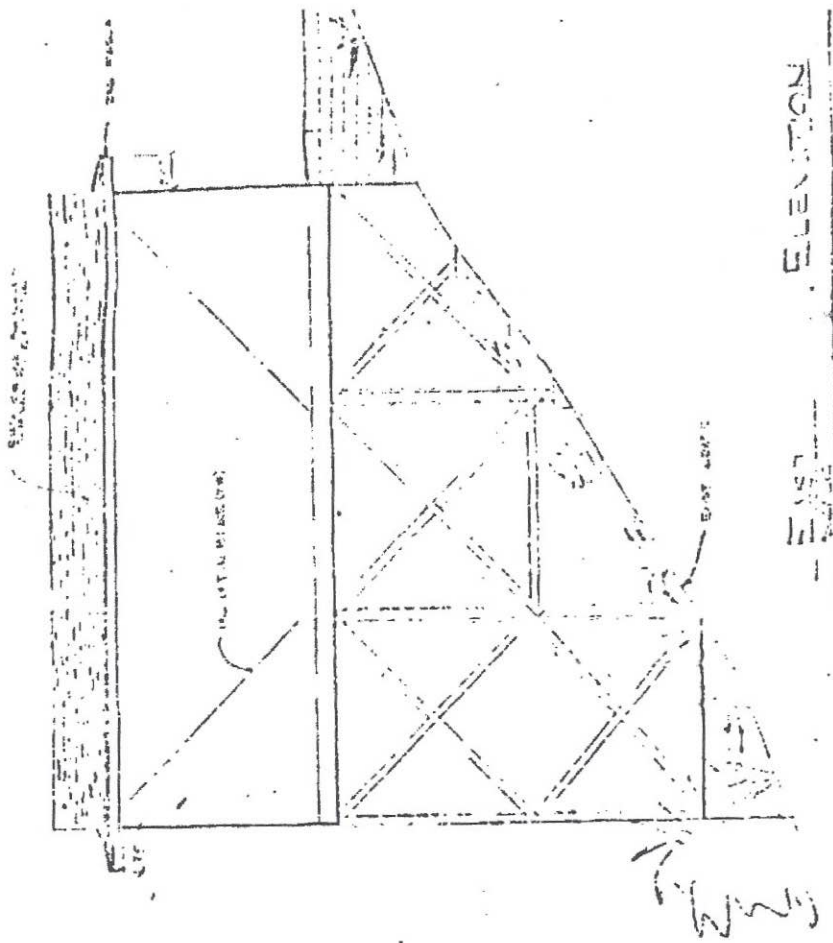
H. V. LAWMASTER & CO., INC.



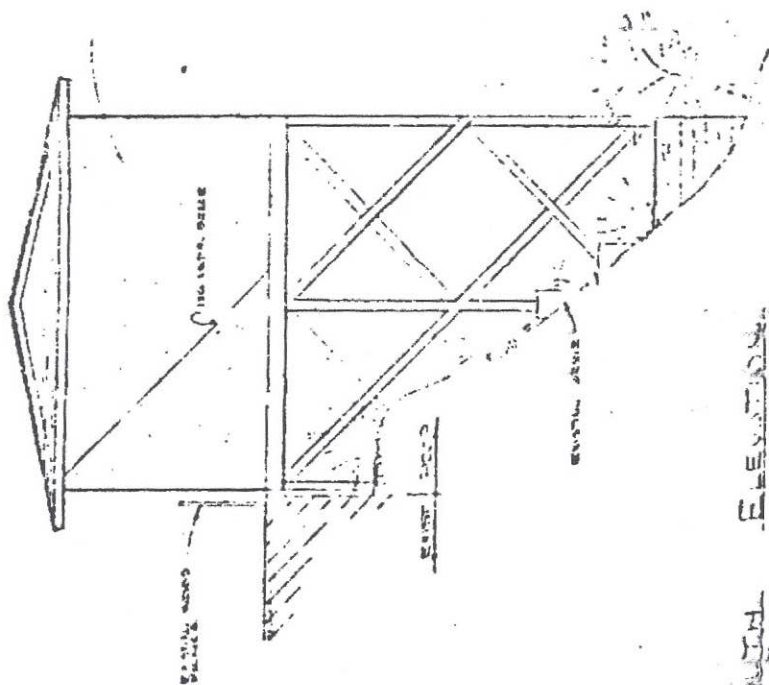
SCALE: 1" = 20'	SHEET	Plot Plan	FILE No. 73-1836
DATE: 7 / 25 / 73	1 of 2	PROJECT: Prop. Garage Add'n.	



LAWMASTER & CO.



ELEVATION



ELEVATION

SCALE: 1" = 1'-0"

SHEET

Elevations

FILE No. 73-1836

DATE: 7/25/13

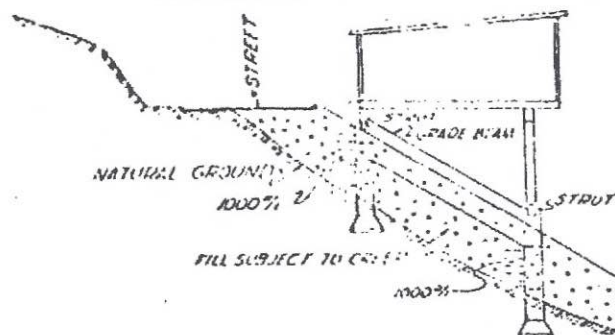
2 of 2

PROJECT: Prop. Garage Add'n.



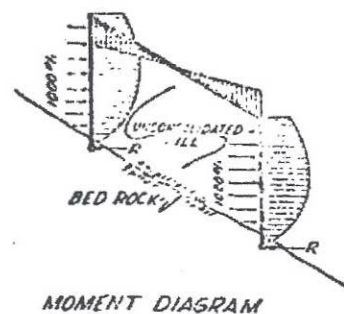
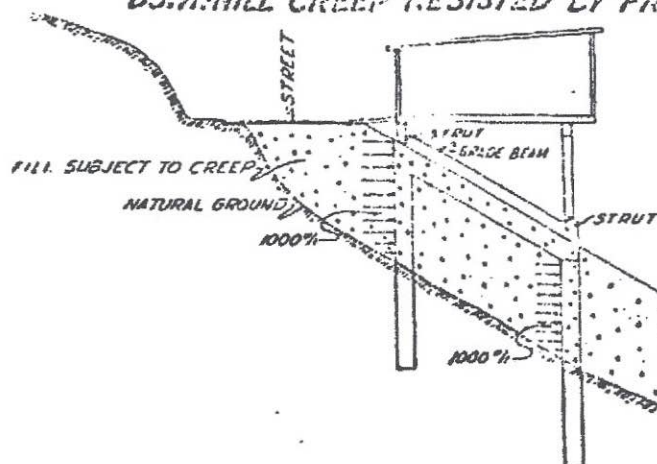
LAWMASTER & CO.

# COMMON METHODS FOR RESISTING DOWNHILL CREEP



## CAISSON FOOTING

NORMALLY USED IN SHALLOW FILL. A SIMPLE FRAME DESIGN WILL RESULT IN MEMBERS OF REASONABLE SIZE  
DOWNHILL CREEP RESISTED BY FRAME ACTION

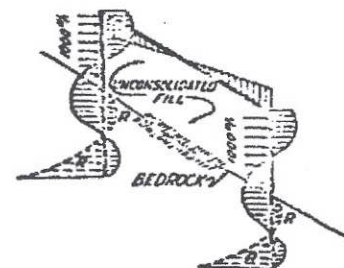
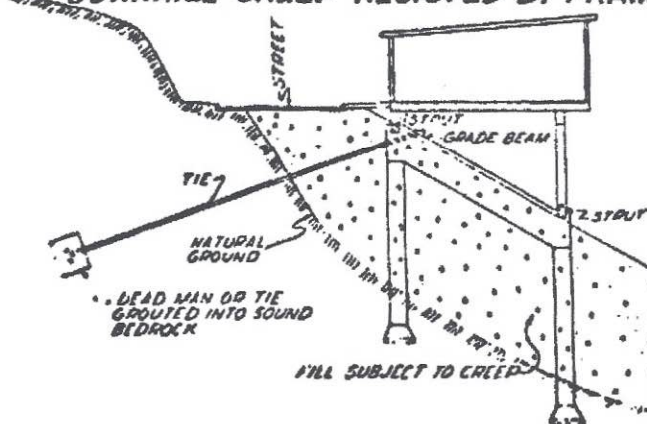


MOMENT DIAGRAM

## FRICTION PILE FOOTING

NORMALLY USED IN FILL OF INTERMEDIATE DEPTH WHERE COST OF FIXITY OF FRICTION PILE CAN BE JUSTIFIED BY THE REDUCTION IN SIZE OF FRAME MEMBERS

DOWNHILL CREEP RESISTED BY FRAME ACTION PLUS FLAG POLE ACTION



MOMENT DIAGRAM

## DOWNHILL CREEP RESISTED BY DEAD-MAN

NORMALLY USED IN DEEP FILL WHERE USE OF FRAME IS UNECONOMICAL.

**Requested permit number:** R2017-1178**Declined 2017**

<b>Permit Number</b>	R2017-1178	
<b>Status</b>	DECLINED	
<b>Work Description</b>	SINGLE FAMILY RESIDENCE	
<b>Occupancy</b>	R3/U	
<b>Class Code</b>		
<b>Sub Type</b>	OTH	
<b>No. of Bldgs.</b>	1	
<b>Insp. Area</b>	12	<b>Entered Date</b> 11/8/2017
<b>Validated by</b>	JI	<b>Date Applied</b> 11/8/2017
<b>Inspection Area</b>	12	<b>Date Approved</b>
<b>Assigned Inspector</b>	Brian Contino	<b>Date Final</b>
<b>Inspector Phone</b>		<b>Date Activity Expires</b> 11/8/2018

**Requested permit number:** VA1053**Permit Number** VA1053**Status** DENIED**Work Description**PC APROVED WITH CONDITIONS 12/4/1975 REHEARING - PC DENIED  
5/20/1976**Occupancy****Class Code****Sub Type****No. of Bldgs.** 0**Insp. Area****Validated by****Inspection Area****Assigned Inspector****Inspector Phone****Denied HT. Variance  
1976****Entered Date** 7/25/2008**Date Applied****Date Approved****Date Final****Date Activity Expires**

**Requested permit number:** VA1033**Permit Number** VA1033**Status** APPROVED**Work Description** APPROVED WITH CONDITIONS**Occupancy****Class Code****Sub Type****No. of Bldgs.** 0**Insp. Area****Validated by****Inspection Area****Assigned Inspector****Inspector Phone**

Variance

Approved

1973

**Entered Date** 7/23/2008**Date Applied****Date Approved** 7/13/1973**Date Final****Date Activity Expires**

**From:** City Clerk's Office  
**Sent:** Saturday, September 07, 2019 9:37 AM  
**To:** Mulvey, Jennifer; Rieff, Kim  
**Subject:** FW: Public Comments: September 10 City Council Agenda Item(s)

---

**From:** Tom Moulson  
**Sent:** Saturday, September 7, 2019 9:38:28 AM (UTC-08:00) Pacific Time (US & Canada)  
**To:** Dept - City Council; City Clerk's Office; SPON  
**Subject:** Public Comments: September 10 City Council Agenda Item(s)

I absolutely object to the King's Road variances which, though they don't affect me directly, are yet another step in the creeping mansionizing of this residential city.

Tom Moulson

---



Virus-free. [www.avast.com](http://www.avast.com)

---

**From:** Harp, Aaron  
**Sent:** Monday, September 09, 2019 7:07 AM  
**To:** Brown, Leilani  
**Subject:** FW: Common Sense

---

**From:** Peggy Palmer <pvpalmer@icloud.com>  
**Sent:** Friday, September 6, 2019 9:54 PM  
**To:** pvpalmer@icloud.com  
**Subject:** Common Sense

Folks...

Here is the neighbor's home next to the applicant's proposed structure.

As you may know, our home has been compromised and the City has continuously issued permits to unauthorized and unlicensed contractors.

In fact, the City just issued a continuance to 1721 Kings Road WITHOUT any resolve to our property. This is reckless disregard and has caused us continuous harm.

I have heard from a reliable source that 30 homes have been destroyed from new construction.

If this continues...a class action law suit will ensue against the City.

HERE IS A PICTURE OF  
1121 Kings Road -

What is going to happen when a 12,300 square foot home is built next to this property?

It doesn't take a rocket scientist to find out...



**From:** TJ Williams <twilliams@w-realtygroup.com>  
**Sent:** Friday, September 06, 2019 4:58 PM  
**To:** Dept - City Council  
**Subject:** Signed Petitions Opposing the New Construction at 1113 Kings Rd (1 of 4)  
**Attachments:** Petitions 1-5.pdf; Petitions 6-10.pdf; Petitions 11-15.pdf; Petitions 16-20.pdf; Petitions 21-25.pdf

City Council Members,

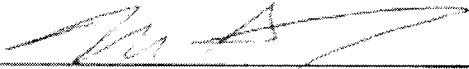
My name is TJ Williams and I live directly across the street from 1113 Kings Rd. I'm going to be sending you four separate email with 90 signed petitions from our neighbors opposing the new construction at 1113 Kings Rd. I'm sending separate emails to keep the file sizes down. Attached are petitions 1 - 25.

Thank You!

*TJ Williams*  
(949) 903-1349

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: MIKE ALEXANDER  
Street Address: 1001 KINGS ROAD  
Signature:   
Comments: DO NOT APPROVE

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Beth She  
Street Address: 521 Kings Rd. NB 92663  
Signature: Beth She  
Comments: NO CONFORMANCE

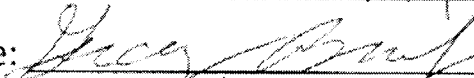
Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: George Barfield

Street Address: 2001 Kings Rd

Signature: 

Comments: No Variance whatsoever

I have lived on Kings since 1988 and  
there use to be a height restriction starting  
at medium grade not an arbitrary calculation

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Michael Palmer

Street Address: 1701 Kings Road - NPB

Signature: MC Palmer <sup>CA</sup> 92663

Comments: Maintain the quality  
of community -  
NO VARIANCE

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Gordon Adams

Street Address: 1800 Kings Rd

Signature: Gordon Adams

Comments: This is totally Unneeded & will  
negatively affect at least 8-10  
homeowners & the value of their  
homes.

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: ROGER GITE  
Street Address: 521 KINGS RD  
Signature: R. Gite  
Comments: Enough is Enough

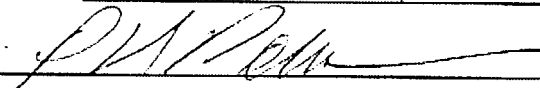
Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: PEGGY PALMER

Street Address: 1701 KINGS RD. NPB, CA  
92663

Signature: 

Comments: THIS IS NOT A HARDSHIP  
variance - its a luxury and  
sets a precedence  
NO VARIATION

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Amy Williams  
Street Address: 1110 Kings Road  
Signature: Guy Miller  
Comments: Too Big. Too Tall.

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Anne Adams

Street Address: Arne Adams

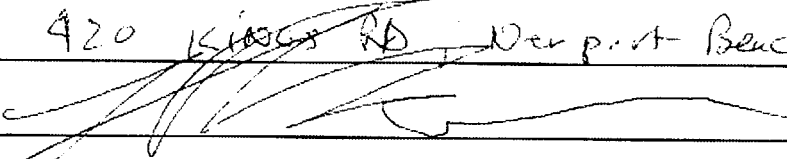
Signature: 1800 Kings Rd

Comments: Why would you do this for  
one house. It will tell all future  
homes to ask for similar bad  
requests.

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: LUKE W. DRU  
Street Address: 420 KINGS RD, Newport Beach, 92663  
Signature:   
Comments: NO WAY

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Catherine Scruggs

Street Address: 307 Snug Harbor Road

Signature: Catherine Scruggs

Comments: We have building restrictions

for a reason. To protect  
everyones views.

The lots were designed so that  
both sides of the street could

Thank you for your support protecting the future of our neighborhood

have the view.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Nathleen Kralick

Street Address: 1031 Kings Rd. Newport Beach

Signature: Nath Kralick

Comments: too big & Tall

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Kristi Delancey  
Street Address: 402 Kings Road  
Signature: [Signature]  
Comments: Absolutely NO!!

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Nancy Barfield

Street Address: 2001 Kings Rd

Signature: Nancy Barfield

Comments: Unnecessary height Variance. the  
owners knew what they were buying &  
now they want more airspace

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Carolyn Brubaker  
Street Address: 1710 Kings Rd.  
Signature: Carolyn Brubaker  
Comments: Enough is enough!

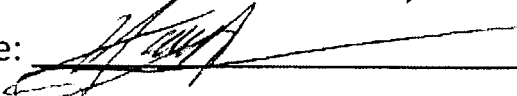
Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: HENRY HASTINGS

Street Address: 910 KINGS ROAD

Signature: 

Comments: THIS VARIANCE WILL NEGATIVELY IMPACT  
MY VIEW OF THE OCEAN


Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: ROBERT MATICH

Street Address: 1411 KINGS RD

Signature: 

Comments: RULES ARE RULES.

DESIGN WITHIN THE RULES  
TO BEGIN WITH. THEN YOU DON'T  
NEED TO ASK TO BREAK RULES.

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: TJ Williams

Street Address: 1110 Kings Road

Signature: T. Williams

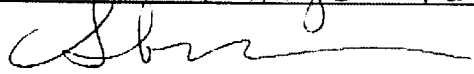
Comments: The proposed new construction will severely impact 8 to 10 homes on our street. No Variance!!!

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Stephanie Stedfield  
Street Address: 1120 Kings Rd. NB.  
Signature:   
Comments: out of proportion -

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Kraig Butman  
Street Address: 2014 Kings Road  
Signature: [Signature]  
Comments: No Variance

==

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Martha G Earlapaugh

Street Address: 11021 Kings Road

Signature: Martha G Earlapaugh

Comments: I oppose the Height Variance  
for a variety of reasons

1. Need to show courtesy to the  
surrounding neighbors.

Thank you for your support protecting the future of our neighborhood

2. A height variance is not necessary for  
more than a 12,000 square foot home.
3. The applicant should articulate a portion  
of the structure providing a view corridor  
for surrounding neighbors.
4. The proposed project is adding unnecessary  
concern & tension to the entire neighborhood.

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: GARY SOKOLICH

Street Address: 801 KINGS ROAD

Signature: W. Gary Sokolich

Comments: Letter to be sent to Planning Commission

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***


Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: DOUG DECINCES

Street Address: 402 KINGS RD

Signature: 

Comments: NO HEIGHT VARIANCE!

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Cord Anne Dru

Street Address: 420 Kings Road, Newport Beach, CA

Signature: Cord Anne Dru

Comments: There are Rules for a reason -

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Ann Matich

Street Address: 1411 Kings Rd

Signature: Amatich

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: CHRIS KERBLICK

Street Address: 1031 KINGS RD NB 92667

Signature: Chris Kerbl

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: GARY BRUBAKER

Street Address: 1710 KINGS ROAD

Signature: Gary Brubaker

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Jay Lichman & Herrie Sondel  
Street Address: 610 Kings Rd.  
Signature: Herrie Sondel Jay Lichman  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: ASTRID CARLSON

Street Address: 2300 CLIFF DR.

Signature: 

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: JAMES CARLSON

Street Address: 2700 ELITE DRIVE NEWPORT BEACH, CA 92663

Signature: 

Comments: \_\_\_\_\_


Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: BRUCE CHOATE

Street Address: 2924 CLIFF DRIVE

Signature: 

Comments: REGULATIONS ARE REGULATIONS!

THEY ARE MEANT TO BE COMPLIED  
WITH, OTHERWISE, WHY HAVE THEM?

WE WANT NEWPORT BEACH TO REMAIN  
NEWPORT BEACH

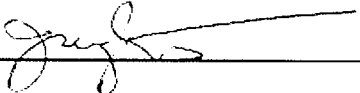
Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Judy Weightman

Street Address: 2001 Cliff Dr

Signature: 

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

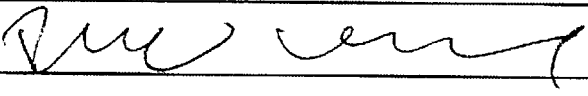
To the Newport Beach Planning Commission and City Council

First and Last Name: Cathy Pinkert  
Street Address: 711 Cliff Dr, NB 92663  
Signature: Cathy Pinkert  
Comments: No height variance

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: RICK KENOWEY  
Street Address: 1705 CLIFF DRIVE  
Signature:   
Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Tim Pinkert  
Street Address: 711 Cliff Dr, NB 92663  
Signature: Tim Pinkert  
Comments: No mansions

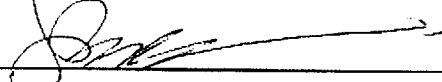
Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: KATHERINE CHATEL

Street Address: ~~2113~~ 2924 CLIFF DRIVE

Signature: 

Comments: 29 FEET IS HIGH ENOUGH.

THE PLANS FOR THIS HOUSE ARE  
TOTALLY OUT OF SCALE. THIS MUST  
BE STOPPED!

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Monica Mazur  
Street Address: 515 Signal Road Newport  
Signature: Monica Mazur  
Comments: Too Big!

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: MIKE TALBOT

Street Address: 324 SIGNAL ROAD

Signature: M. D. Talbot

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Patrick McCann  
Street Address: 729 St. James Rd.  
Signature: Patrick McCann  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: John Snelgrove  
Street Address: 408 San Bernardino Ave  
Signature: John E Snelgrove  
Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Nancy O. Turner  
Street Address: 435 Irvine Ave  
Signature: Nancy O. Turner  
Comments: Oppose construction  
no variance

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Joanne Snelgrove

Street Address: 408 San Bernardino Ave. NB. 92663

Signature: Joanne Snelgrove

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Janet Marshall

Street Address: 1000 Buckingham Dr.

Signature: 

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Bruce Bartman

Street Address: 2 Seaside Circle Newport Beach 92663

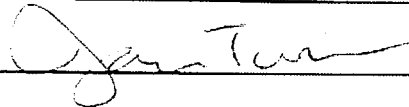
Signature: Bruce Bartman

Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: James<sup>Lee</sup> Turner  
Street Address: 433 Irvine Ave  
Signature:   
Comments: \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: George Drayton  
Street Address: 502 Kings Rd  
Signature: George Drayton  
Comments: Seen Side of Kings Rd ~~must~~ must  
stay within current building codes.

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: BRUCE TROTTER

Street Address: 800 KINGS RD. NEWPORT BEACH, CA 92663

Signature: Bruce Trotter

Comments: This increase in height would be unfair to the neighbors  
because it would reduce the views of the ocean + surrounding area.  
Each homeowner should be considerate of their neighbors and not devalue  
their neighbors property value by blocking views with a height variance. Kings  
Road is unique in this regard ~~and~~ I'm sure a wonderful house could be  
built in that sloping lot in conformance with the height limitations.  
Thank you for your support protecting the future of our neighborhood

Please return to the mailbox at 1113 Kings Road  
by 11am on Tuesday, May 21<sup>st</sup>

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Jack & Nancy Geerlings  
Street Address: 411 Kings Rd, Newport Beach  
Signature: Nancy Geerlings / Jack Geerlings  
Comments: Keep the same height limits!

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the beautiful neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Setsuko Krickl  
Street Address: 520 Kings Road  
Signature: Setsuko Krickl  
Comments: See attached

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Robert Edmonds  
Street Address: 1013 Kings Road  
Signature: Robert Edmonds  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Barbara Edmonds

Street Address: 607 Kings Road Newport Beach 92663

Signature: Barbara Edmonds

Comments: My own view is blocked by a house built with  
A height variance. This should not continue to happen

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

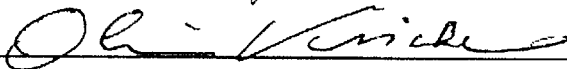
Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Alois KRICKL

Street Address: 520 Kings Rd

Signature: 

Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Jim Miller  
Street Address: 679 Stearns Rd  
Signature: [Signature]  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Valerie Miller  
Street Address: 619 St James Rd  
Signature: Valerie Miller  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: \_\_\_\_\_David

Sherbeck \_\_\_\_\_ Street Address:

\_\_\_\_\_1210 West Oceanfront, Newport Beach CA

92661 \_\_\_\_\_ Signature:

\_\_\_\_\_David E.

Sherbeck \_\_\_\_\_

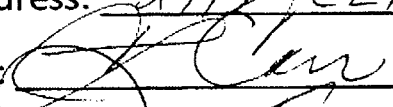
Comments: \_\_\_\_\_Height variances to residential projects have been abused by developers and granted without public approval or reason by the City staff, Planning Commission and Council. Variances are not intended to be used for purpose other than neccessity.The proposed height and scale of this and other developments is not consistent with the residential community or the General Plan.

\_\_\_\_\_Thank you. \_\_\_\_\_

Thank you for your support protecting the future of our neighborhood.

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: CHRISTINE CARR  
Street Address: 2717 CLIFF DR NEWPORT BEACH CA.  
Signature:   
Comments: Thank you for caring!

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Betty Gail Demmer  
Street Address: 2812 Clift Drive  
Signature: Betty G. Demmer  
Comments: \_\_\_\_\_

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: PORTIA WEISS  
Street Address: 421 San Bernardino Ave 92663  
Signature: Portia Weiss  
Comments: Adherence to building codes builds  
stronger community bonds.

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Daniel Clark  
Street Address: 415 San Bernardino Ave  
Signature: Daniel Clark  
Comments: Keep to present established heights

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood!

Petition Opposing the Height Variance and  
New Construction at 1115 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Jean G. Clark (Peggy)  
Street Address: 415 San Bernardino Ave.  
Signature: Jean Clark  
Comments: Keep to present limits - please!

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support regarding the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Richard Weiss  
Street Address: 421 San Bernadino Ave  
Signature: RW  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Remington Weiss  
Street Address: 421 San Bernardino Avenue  
Signature: Remy Weiss  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

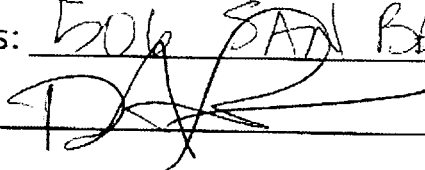
First and Last Name: VICKI RONALDSON  
Street Address: 506 SAN BERNARDINO AVE, NB  
Signature: Vicki M Ronaldson  
Comments: PLZ MAINTAIN HEIGHT LIMITS.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: DON BRONALDSON  
Street Address: 506 SAN BERNARDINO AVE N  
Signature:   
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support in protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

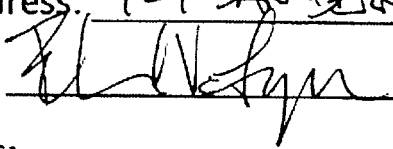
First and Last Name: Barbara Lyon  
Street Address: 127 San Bernardino Avenue  
Signature: Barbara Lyon  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: EDWARD LYON  
Street Address: 427 SAN BERNARDINO AVENUE, NB  
Signature:   
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Lu Baker

Street Address: 413 Holmwood Dr NB

Signature: Lu Baker

Comments: \_\_\_\_\_

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood


*Second Signature:*

Thomas Baker  
413 Holmwood Dr, NB

*Thomas Baker*

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Gail Moons  
Street Address: 428 Santa Ana Ave.  
Signature:   
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Randy M. Cook  
Street Address: 422 Santa Ana NB  
Signature: [Signature]  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Erin Lavelle  
Street Address: 321 Santa Ana Ave.  
Signature: E. Lavelle  
Comments: \_\_\_\_\_

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**


Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Manjaneh Goodarzy

Street Address: 445 Santa Ana Ave.

Signature: 

Comments: please also put a stop to black roofs  
and developer designs that are repeated  
everywhere.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: JAMES WARD

Street Address: 424 SANTA ANA AVE.

Signature: James Ward

Comments: Chabell C Ward. →

←  
next page  
address

(me)

Please return to the mailbox of ~~1113 Kings Rd~~ by 11am on Tuesday, May 21<sup>st</sup>.

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Elizabeth Weid

Street Address: 424 Santa Ana Avenue

Signature: on previous page

Comments: \_\_\_\_\_

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**


Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: KAYVON GOODARZI 92663

Street Address: 445 Santa Ana Av Newport Beach, CA

Signature: 

Comments: I hereby oppose the height variance on  
the above mentioned project.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood.

Talk to you  
later about this

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Joan McCauley

Street Address: 542 Santa Ana Ave N.B. 92665

Signature: Joan McCauley

Comments: \_\_\_\_\_

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Jim Mosler

Street Address: 2210 Prozac Rd

Signature: [Signature]

Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Lynn Lorenz

Street Address: 434 Redlands Avenue

Signature: Lynn Lorenz

Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Ammy Schmid T  
Street Address: 2909 BROAD ST.  
Signature: [Handwritten Signature]  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Gary Ranes

Street Address: 2805 Broad St.

Signature: G. Ranes

Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

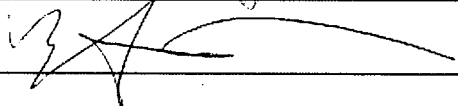
First and Last Name: Biruk Ranes  
Street Address: 2805 Broad Street N.B. 92663  
Signature: Biruk Ranes  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Yuter Mau  
Street Address: 1100 Kings Road  
Signature:   
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Tom Carson

Street Address: 1810 Kings Road (Carson Family Home)

Signature: 

Comments: The Character of Kings Rd. will be changed  
and views obscured if heights are not kept as  
required. We know that variances set precedents as shown  
by 2 story homes on the cliff side which has ruined Kings Rd.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood!

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Lorraine Carson

Street Address: 1810 Kings Rd.

Signature: 

Comments: Height variances set precedent that cause  
changes in the future which can change the  
character of the neighborhood. We are against  
any height changes

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood

# Petition Opposing the Height Variance and New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Peter Carson

Street Address: 1810 Kings Rd.

Signature: 

Comments: No height variances should be or never have  
been allowed. Our family home at 1810 King Rd. lost  
its beautiful view to the house across the street which  
should have been 1 story but because another's variance.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Set a precedent so they were able to do the same.  
We are against height variances as unfair to neighbors.

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1118 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Devin Merrill

Street Address: 1810 Kings Rd.

Signature: Devin Merrill

Comments: Our view from 1810 Kings Rd was  
obliterated by a two story house built across  
the road on the cliff due to a height variance. This  
should never happen again. No height variances permitted

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support in preserving the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Valerie Carson

Street Address: 1810 Kings Rd.

Signature: Valerie J. Carson

Comments: No more variances should be granted!  
Especially on height. We lost our view due to  
a height variance on cliff side where the houses were  
to be kept at 1 story.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support in preserving the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Jessamine Carson Merrill

Street Address: 1810 Kings Rd.

Signature: Jessamine Carson

Comments: Unfair to neighbors for one greedy  
person to change rules. The future can begin  
more and more variances if one is allowed.  
No height variances should be allowed.

**Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.**

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: John M. Aggar

Street Address: 455 San Bernardino Ave

Signature: [Signature]

Comments: the variance leads to another variance

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood.

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road  
To the Newport Beach Planning Commission and City Council

First and Last Name: Gillian Hogan  
Street Address: 455 San Bernardino Ave  
Signature: Gillian Hogan  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support protecting the future of our neighborhood

Petition Opposing the Height Variance and  
New Construction at 1113 Kings Road

To the Newport Beach Planning Commission and City Council

First and Last Name: Susan Hogan  
Street Address: 455 San Bernardino Ave  
Signature: Susan Hogan  
Comments: \_\_\_\_\_

***Please return to the mailbox of 1110 Kings Rd by 11am on Tuesday, May 21<sup>st</sup>.***

Thank you for your support in protecting the future of our neighborhood.

September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Re: Reed Residence Residential Height Variance

Mayor Dixon and Councilmembers,

I live in Cliff Haven and I support the approved height variance for 1113 Kings Road due to the gully located on the property that slopes significantly in both a north-south direction, as well as east-west direction. There are very few lots that possess such challenging topography in Newport Beach, and the requested variance seems reasonable. The Reeds have designed a home that is compatible with our community despite the challenge created by the topography. I agree with the decision that the planning commission made and urge you to uphold their decision.

Sincerely,



Lauren Countess

cc: Jaime Murillo

September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence Residential Variance (VA2019-002)

Dear Mayor Dixon and Councilmembers:

I live in Cliff Haven and am in full support the height variance for the residence at 1113 Kings Road that was approved by Planning Commission. As a matter of right, the homeowner could build up to 29,000 square feet and 29 feet in height. However, the home will be lower in height and substantially smaller in size which does not "max out" the coverage of the property.

The homeowner's lot is large and topographically challenged with multiple sloping angles, plain and simple, and this shouldn't deprive them from the rights that every other homeowner enjoys. The home complies with setbacks and square footage, and the height at the front of the house is respectful considering they could build to 29 feet and are not doing so. The illustrations provided for the Planning Commission meeting provided an excellent visual for how minimal the areas of height encroachment are from Kings Road.

The homeowner rights and Planning Commission decision should be upheld for the homeowner to be able to enjoy their property in the same capacity as everyone else in the area.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Cannon".

Scott A. Cannon  
519 Signal Road  
Newport Beach, CA 92663

# KBS

September 9, 2019

**VIA ELECTRONIC MAIL**

citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and City Council  
100 Civic Center Drive  
Newport Beach, CA 92660

**Re: Reed Residence Variance VA2019-002**

Mayor Dixon and Councilmembers:

The Reed residence design is compatible with the surrounding community and has my support for a height variance due to the unique and large gully on the property. I have reviewed the plans, detailed explanations, and conclusions within staff report which clearly notes the variance in question to be for a very modest area. I further support the variance because the over-height features will not be visible from Kings Road or from the residences across the street as those portions of the Reed residence would be located behind the height-compliant portions of the home.

In my opinion, this is a reasonable request for what is an extremely slight variance to accommodate a uniquely burdened site and I urge the City Council to uphold the Planning Commission's decision to approve the variance for the home.

Sincerely,



Giovanni Cordoves  
Senior Vice President, Acquisitions & Co-Director, Asset Management

## September 10, 2019, Council Item 20 Comments

The following comments on an [item](#) on the Newport Beach City Council [agenda](#) are submitted by:  
Jim Mosher ( [jimmosher@yahoo.com](mailto:jimmosher@yahoo.com) ), 2210 Private Road, Newport Beach 92660 (949-548-6229)

### ***Item 20. Appeal of Reed Residential Variance for 1113 Kings Road (PA2019-060)***

Since variances condone what would otherwise be violations of the generally applicable laws, they are supposed to be much harder to approve than to deny. That asymmetry is reflected in the [Zoning Code](#), pursuant to which to grant this variance the Planning Commission had to make *each* of the six findings outlined in the [May 23 staff report](#) (starting on page 20-45 of the present agenda packet). Failing *any one* was supposed to require denial.

The same standard applies to the City Council, so **the decision should be obvious: the proposal clearly fails at least two of the required findings.**

**The proposed height variances fail required Finding 5** (page 20-49), because the granting of them would be detrimental to neighbors. Staff cites construction on slopes as a reason for relaxing standards. On the contrary, *these* slopes are being built on because of the views from them, which means every owner has a right to expect their neighbors to stay within the code-allowed height envelope.

While there are large areas of the city in which minor exceedances of the height limits would have little consequence, here doing less than strictly enforcing the limits means the neighbors (and future neighbors if the current ones don't object) will lose the opportunity to enjoy views they thought they could rely on the code to protect – and this will initiate a race between neighbors to see if they can outdo each other with even larger variances. In addition, as some letter writers have suggested, the added bulk the variances allow to be built over the slopes might destabilize them.

In short, the proposed variances are “*detrimental*” to neighbors and contrary to “*the harmonious and orderly growth of the City.*” They may even increase a “*safety hazard.*” For all those reasons, **the variances fail required Finding 5 and must be denied.**

**Even if the variances had *not* failed required Finding 5, they would still have to be denied because they fail required Finding 6** (page 20-51): granting them would be inconsistent with the intent and purpose of the City's [General Plan](#).

In considering this finding, it must be understood we live in an imperfect world, and not every intent and purpose of the General Plan is enforced by the Zoning Code. The denial of variances is part of the safety valve to ensure those other policies are not totally forgotten. For example, General Plan [Policy LU 5.1.5](#) (“Character and Quality of Single-Family Residential Dwellings”) promises “*Compatibility with neighborhood development in density, scale, and street facing elevations.*” But in the Zoning Code, the analysis of compatibility comes only in the “site development review” (NBMC [Sec. 20.52.080.C.2.c.iii](#)) of major projects, from which single family residential construction is exempt. Yet in considering a *variance* for a single family home, the Planning Commission would be expected to consult

General Plan Policy LU 5.1.5 and to deny the variance if the result would be incompatible with the neighborhood “*in density, scale, and street facing elevations*” (as many argue the present proposal is) – for that would make it inconsistent with the intent of the General Plan.

In the present case, staff acknowledges General Plan [Policy NR 23.1](#) (“Maintenance of Natural Topography”) to “*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,*” but fails to remind the Council of one of the most fundamental “[Who We Are](#)” policies of the Land Use Element - **Policy LU 1.3** (“Natural Resources”): “*Protect the natural setting that contributes to the character and identity of Newport Beach and the sense of place it provides for its residents and visitors. Preserve open space resources, beaches, harbor, parks, bluffs, preserves, and estuaries as visual, recreational and habitat resources.*”

And it observes that this particular segment of bluffs is not protected by the Zoning Code and the owner could (in staff’s opinion) build down the full extent of the bluff “by right.”

But that is a failure of the Zoning Code, not of the General Plan and it fails to acknowledge that all the bluffs from the Semeniuk Slough to Dover Drive are recognized as coastal bluffs and the portion of Pacific Coast Highway below this segment is recognized as a coastal view road. Marine erosion has nothing to do with this. In short, whether it was implemented in the Zoning Code, or not, it is clearly the intent of the General Plan to preserve the natural setting.

Granting variances to make it *easier* to build over and obliterate designated scenic natural topographic features “*that contribute to the character and identity of Newport Beach*” is totally contrary to this intent and purpose of the General Plan. **For that reason, the granting of these variances fails required Finding 6. They *must* be denied.**

### Support of other findings questionable

Although a variance *must* be denied if *any* of the required findings *cannot* be made, and staff’s arguments in support of Findings 5 and 6 are clearly erroneous, its arguments in favor of some of the other findings seem doubtful.

For example, in support of **Finding 3** (“Granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the applicant”), staff asserts that the existence of the gully feature “*effectively reduce[s] the buildable width from approximately 90 percent of the lot width to 72 percent of the lot width at those locations.*”

First, when one buys a property it is not with an expectation, let alone a “right,” that every piece of it will be buildable (parts, for example, might be underwater, or, as here, steeply sloped), and it is not the government’s obligation to make them so.

Second, when Cliff Haven was subdivided in 1947 (see [Tract No. 1219](#) map) this lot (#31), like some others with topographic challenges, was given an extra 15 to 20 feet of width (a street frontage of 85 feet compared to the more typical 65 to 70 feet), quite possibly to compensate for the part that could not easily be developed. Lot 30, the one next to it on the east, most impacted by the gully, was made unusually narrow, at 50 feet, perhaps with a thought that it could not be sold and would be left as open space.

Third, staff's description of the "problem" greatly exaggerates its magnitude. The gully feature impacts only a small part of Lot 31. According to the [topographic maps](#), it does not affect the buildable width directly along Kings Road nor does it affect the buildable width along the lower portion of the lot – all of which staff says the owner has an absolute right to develop. At most it affects what looks like about 10% of the lot, and even in that part it appears no steeper than the lower parts of the lot, which are considered "normal" for the area.

Staff's assertion that the gully portion of the property could not be developed in compliance with the code's height regulations is inconsistent with its claim that the remainder of the property (with similar slopes, but just in a different direction) could be.

### **Bigger issues**

Sadly, as the staff report notes, denial of the requested variances will not prevent the applicant from returning to the City with plans for even larger home that many will feel is even more incompatible with the neighborhood, but which can (according to staff) be approved without any discretionary review.

As indicated above, the purported "right" to build structures incompatible with the neighborhood in "*in density, scale, and street facing elevations*" is a failure of the Zoning Code to adequately implement the promises made in the General Plan. In the Code as currently constituted, for a "normal" (no variances) single-family home application, the analysis of consistency with the General Plan (presumably including compatibility with the neighborhood) is supposed to come during the Director's approval of what is called a "Zoning Clearance" (see NBMC [Sec. 20.16.030.A.1](#)). That decision can, in turn, be [referred](#) or [appealed](#) (for a 14-day window) to the Planning Commission. However, only the Director and the applicant are aware a decision has been made. By the time the neighbors become aware of the project (when construction starts) the time to appeal the determination of neighborhood compatibility has long expired, and the applicant can by then argue they have made a substantial investment based on approval by the City. There is something fundamentally wrong with this.

Bringing this application to the Council also highlights the City's byzantine system of measuring heights and expressing the limits attached to them. The almost completely arbitrary "grade planes" drawn over this property (see page 20-40) in some cases exaggerate the heights relative to the actual ground level and in other cases significantly underestimates them. The staff report also cites the height of some of the eaves of the sloping roofs as requiring variances, but a close reading of the code indicates we have no limits on the eaves of sloping roofs. The only thing we regulate is "*the highest peak of the roof*" (see NBMC [Sec. 20.30.060.B.2](#)).

The Council should be aware that there is no universally-accepted system of measuring building heights. Many cities measure structure heights from the lowest point on the exterior of the building to the highest point on the roof, with some small extra allowance on steep slopes. That is a lot simpler and worth considering. Alternatively, Newport Beach, for many years, went by an average of the heights at the corners of the building to the highest point.

---

**From:** City Clerk's Office  
**Sent:** Monday, September 09, 2019 2:06 PM  
**To:** Mulvey, Jennifer; Rieff, Kim  
**Subject:** FW: Comments on Council Item 20 -- Appeal of Reed Residential Variance for 1113 Kings Road (PA2019-060)

---

**From:** Bruce Bartram  
**Sent:** Monday, September 9, 2019 2:07:09 PM (UTC-08:00) Pacific Time (US & Canada)  
**To:** City Clerk's Office; Dept - City Council; Murillo, Jaime  
**Cc:** jimmosher@yahoo.com; jwatt4@aol.com; pvpalmer@icloud.com  
**Subject:** Comments on Council Item 20 -- Appeal of Reed Residential Variance for 1113 Kings Road (PA2019-060)

Honorable Councilmembers:

Below is an email exchange between myself and Jaime Murillo Principal Planner at the Community Development Department of the City of Newport Beach.

As you can see, it concerns the appeal of the Planning Commission's May 23, 2019 decision to approve Variance No. VA2019-002 for the property located at 1113 Kings Road. The project itself related to the the construction of a new 10,803-square-foot, single-family residence and a 1,508-square-foot, four-car garage located at 1113 Kings Road was filed. The variance authorized portions of the upper level roof and deck, and portions of an office and covered patio on the main level of the proposed home to exceed the allowed height limit due to the steep topography of site.

The variance(s) approved described below were as follows:

"The deviations from height limits for the various components of the structure are as follows:

- Upper level roof eaves: 1.13 feet, 1.29 feet, and 1.85 feet above 29-foot sloped roof height limit
- Upper level deck and rails: 4.47 feet and 2.32 feet above 24-foot flat roof height limit
- Main level office eave: 1.74 feet above 29-foot sloped height limit
- Main level covered patio eave: 3.07 feet above 29-foot sloped roof height limit"

I asked Mr. Murillo the following: "Can you provide the sum total of the variances -"deviations from height limits for the components of the structure"- described above in square feet?"

His response was as follows in pertinent part:

"Hi Mr. Bartram,

The total area of roof that exceeds the 29-foot height limit is 327 square feet, plus an additional 26 square feet of deck and rails that exceed the 24-foot flat roof height limit."

Thus, the total square footage of the variances; i.e., additional structure of the proposed home, is 353 sq. ft. This out of a total of 10,803-square-feet proposed for the single-family residence. This represents roughly 3.3% of the structure. Thus, should the variance be denied the property owners would still be left with 96.7% (10,450 sq. ft.) of their proposed new home to construct.

On Page 11 of the May 23, 2019 Report for the Planning Commission City Staff stated the following as the results of not granting the variance in pertinent part:

"Modifying the proposed design to eliminate the height variance for enclosed living area would require eliminating an office on the main level, located behind a compliant garage, and eliminating or significantly reducing the size of an upper level closet, bathroom, and teen room. Modifying the design to eliminate the height variance for the outdoor living areas

would require eliminating the roof cover over the deck behind the garage and office on the main level and reducing the size of the upper level deck. The appearance of structure as viewed from Kings Road would not change, but the functionality of the home design would be impacted."

It is submitted that the loss of 353 sq. ft. of structure from a total of 10,803-square-feet cannot appreciably impact the "functionality" of the proposed single-family home. As a result, there is no practical reason to grant the variance. Thus, the City Council should reverse the Planning Commission's grant of Variance No. VA2019-002 because it is not necessary to construct the proposed single-family home at 1113 Kings Road. The remaining 10,450 sq. ft is certainly enough to provide an ample single-family home.

Very truly yours,

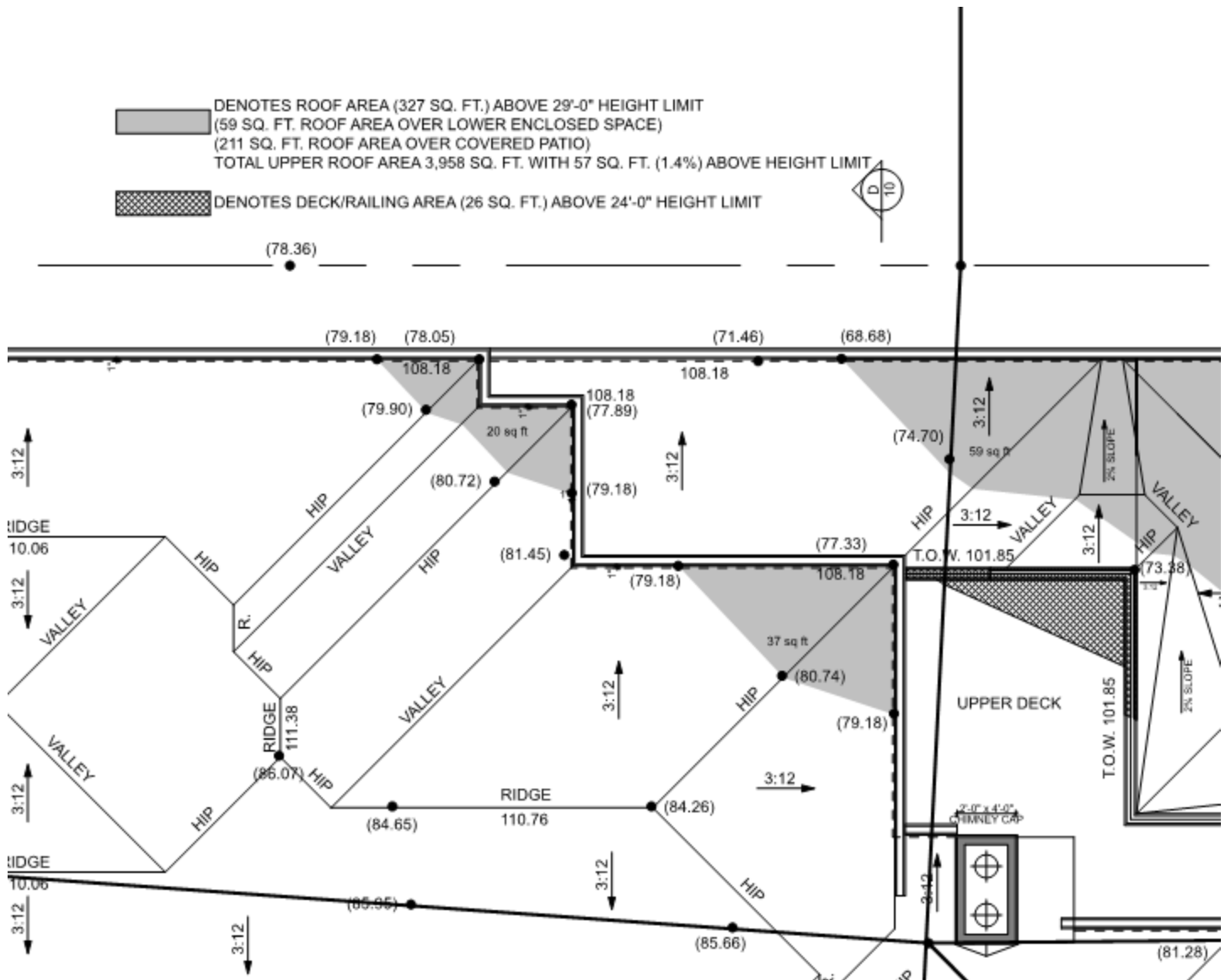
Bruce Bartram  
2 Seaside Circle  
Newport Beach, CA 92663

-----Original Message-----

From: Murillo, Jaime <JMurillo@newportbeachca.gov>  
To: 'Bruce Bartram' <b.bartram@verizon.net>  
Sent: Mon, Sep 9, 2019 9:26 am  
Subject: RE: 1113 Kings Road Variance Appeal Question

Hi Mr. Bartram,

The total area of roof that exceeds the 29-foot height limit is 327 square feet, plus an additional 26 square feet of deck and rails that exceed the 24-foot flat roof height limit. See notes from plans below:



**From:** Bruce Bartram <b.bartram@verizon.net>  
**Sent:** Monday, September 09, 2019 7:22 AM  
**To:** Murillo, Jaime <JMurillo@newportbeachca.gov>  
**Subject:** 1113 Kings Road Variance Appeal Question

Dear Mr. Murillo:

Attached is the Staff Report for the City Council September 10, 2019 Meeting concerning the Appeal of the Variance granted by the Planning Commission to the property located at 1113 Kings Road . From the Staff Report:

"An appeal of the Planning Commission's May 23, 2019, decision to approve Variance No. VA2019-002 related to the construction of a new 10,803-square-foot, single-family residence and a 1,508-square-foot, four-car garage located at 1113 Kings Road was filed. The variance authorized portions of the upper level roof and deck, and portions of an office and covered patio on the main level of the proposed home to exceed the allowed height limit due to the steep topography of site.

Page 3 of the Staff Report describes the project and variance sought as follows in pertinent part:

"The applicant desires to demolish the existing structure and construct a new 10,803square-foot, single-family residence and 1,508-square-foot, four-car garage parking. The residence would consist of three levels: a 4,177-square-foot partially below-grade lower level, a 3,361-square-foot main level, and a 3,265-square-foot upper level. From the Kings Road street frontage, the residence would appear as two stories. The daylighting basement level would generally only be visible from the property to the east and from West Coast Highway to the south due to the topography of the site and adjacent lots.

The upper levels of the residence have been designed to step down to maintain a structure height that follows the natural slope of the lot. However, due to the topographical constraint of a gully feature (See Figure 1 below), the applicant is requesting a variance to allow portions of the roof to exceed the 29-foot height limit for sloped roofs and a portion of a deck and associated railing to exceed the 24-foot height limit applicable to decks and flat roofs. The gully feature is located at the northeastern corner of the lot that extends to the south generally along the eastern property line, and affects the siting and design of the proposed construction. The deviations from height limits for the various components of the structure are as follows:

- Upper level roof eaves: 1.13 feet, 1.29 feet, and 1.85 feet above 29-foot sloped roof height limit
- Upper level deck and rails: 4.47 feet and 2.32 feet above 24-foot flat roof height limit
- Main level office eave: 1.74 feet above 29-foot sloped height limit
- Main level covered patio eave: 3.07 feet above 29-foot sloped roof height limit"

Can you provide the sum total of the variances -"deviations from height limits for the components of the structure"- described above in square feet?

Thank you for your expected cooperation in this matter.

Very truly yours,

Bruce Bartram  
2 Seaside Circle  
Newport Beach, CA 92663

September 6, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and City Council  
100 Civic Center Drive  
Newport Beach, CA 92660

Re: Reed Residence Residential Variance

Mayor Dixon and Councilmembers,

I live in Newport Heights and I fully support the height variance for 1113 Kings Road that was approved by the Planning Commission. The variance is due to the gully located on the property that slopes significantly in both a north-south direction, as well as east-west direction. There are very few lots that possess such challenging topography in Newport Beach, and the variance seems very reasonable.

The Reeds have designed a home that is compatible with our community despite the challenge created by the topography. It is my belief that the new home will add value to my home and the surrounding neighbors. I strongly urge you to support this variance.

Sincerely,

Liz Gruber

cc. James Campbell

September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence – 1113 Kings Road

Dear Mayor Dixon and Councilmembers:

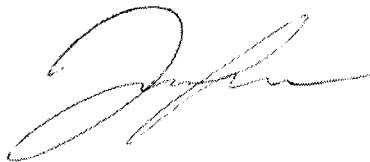
I support the Reed residence variance. Through the planning process the Reeds:

- Thoughtfully designed a home that fits the character of the newer homes that are being redeveloped in the community.
- Have been open and transparent with neighbors.
- Have done the best with the hardship of a gully.

I respectfully ask you to uphold and affirm the Planning Commission's decision to approve a variance. Depriving the Reeds of the ability to build their home to the width of their property in order to avoid building over the gully would be depriving them of their property rights.

Sincerely,

Nick Charles  
2508 Holly Lane  
Newport Beach, CA 92663



**From:** Nick Charles <nick.charles.nrc@gmail.com>  
**Sent:** Monday, September 09, 2019 2:05 PM  
**To:** Dept - City Council  
**Subject:** Subject - Reed Residence Variance - 1113 Kings Road  
**Attachments:** Reed Residence Variance - 1113 Kings Road.pdf

September 5, 2019

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence – 1113 Kings Road

Dear Mayor Dixon and Councilmembers:

I support the Reed residence variance. Through the planning process the Reeds:

- Thoughtfully designed a home that fits the character of the newer homes that are being redeveloped in the community.
- Have been open and transparent with neighbors.
- Have done the best with the hardship of a gully.

I respectfully ask you to uphold and affirm the Planning Commission's decision to approve a variance. Depriving the Reeds of the ability to build their home to the width of their property in order to avoid building over the gully would be depriving them of their property rights.

Sincerely,

Nick Charles  
2508 Holly Lane  
Newport Beach, CA 92663  
[nick.charles.nrc@gmail.com](mailto:nick.charles.nrc@gmail.com)

September 9, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence – 1113 Kings Road

Dear Mayor Dixon and Councilmembers:

I support a variance for the Reed residence that is required for a small gully area. The variance would not allow for larger home that would not otherwise be permitted without the variance. The home has been designed tastefully and in harmony with the neighborhood.

I respectfully ask the City Council to uphold and affirm the Planning Commission's decision to approve a variance for the Reed residence.

Sincerely,

Courtney Goodin  
1756 Skylark  
Newport Beach, CA 92663

September 9, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence – 1113 Kings Road

Dear Mayor Dixon and Councilmembers:

I support the variance for Reed residence. The home has been thoughtfully designed and is compatible with our community.

The Planning Commission went through great lengths to understand all aspects of the variance request before approving the variance.

I respectfully urge the City Council to uphold and affirm the Planning Commission's decision and support this variance.

Sincerely,

A handwritten signature in black ink, reading "Jeff Furtwangler". The signature is written in a cursive, flowing style.

Jeff Furtwangler  
715 St. James  
Newport Beach, CA 92663

September 9, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence – 1113 Kings Road

Dear Mayor Dixon and Councilmembers:

I support the variance for the Reed residence. The home is designed in harmony with the neighborhood. The request is reasonable given that there is a known topographic constraint on the property and the variance will not allow the home size to increase beyond what would otherwise be allowable.

I respectfully ask the City Council to uphold and affirm the Planning Commission's decision to approve a variance for the Reed residence.

Sincerely,

Stephen Bello  
1945 Port Chelsea Place  
Newport Beach, CA 92663

September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and City Council  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence Residential Variance (VA2019-002)

Mayor Dixon and Councilmembers,

I reside that 721 St. James Road and I support the Reed residence height variance. The issuance of a variance by the Planning Commission was the correct course of action to preserve the homeowner's right to enjoy their property.

Due to the presence of a gully, there is a unique topographical constraint that the homeowner had to contend with when designing the home. If the variance was not granted that portion of the property would be unbuildable, which would deprive the homeowner of a substantial property right.

Much time and consideration has been given on all accounts by City staff and the homeowner to ensure that the minimal height encroachments are truly a result of the gully. The height encroachments would not be visually higher than a portion of the residence as viewed from Kings Road because they are located behind the front of the structure, which does not need a variance.

Granting of the variance was necessary for the preservation and enjoyment of substantial property rights of the homeowner and the Planning Commission's decisions should be upheld by the City Council.

Sincerely,

Evan Slavik  
721 St. James Road, Cliff Haven, Newport Beach

September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Council members  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence Variance VA2019-002

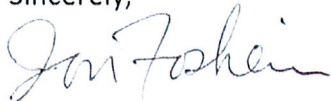
Dear Mayor Dixon and Council members:

Until recently my wife and I lived immediately next door to the Reeds at 1101 Kings Rd. We now own a house just down the street from them (1501 Kings Rd). I am in full support of the approved height variance. The gully that is located between the two homes is incredibly steep. There are already variances for the two residences because of the gully.

As pointed out at Planning Commission, the portions of the home that exceed the height limit will not cause a visual impact for the homes located across Kings Road or in the greater community. These areas will not even be visible from Kings Road or from across the street. However, these over height areas would be visible from my residence and it's my opinion that the Reeds have done a good job to minimize the massing in this area. They have utilized additional setbacks at the upper level, down pitched the roof planes, minimized the development on the eastern side of the property, and created several patio areas which provide relief from a large structure.

The Planning Commission made the right decision to approve a height variance for the residence and it should be upheld at City Council. The new residence will be in character with the other homes in the community. The property is one of the biggest lots in the Newport Heights-Cliff Haven community and the home could be substantially larger than what they are proposing.

Sincerely,



Jon and Penny Foshier  
1501 Kings Road  
Newport Beach, CA 92660

c. Jaime Murillo, Planner

September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Councilmembers  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: VA2019-002 Reed Residence Variance

Dear Mayor Dixon and Councilmembers,

I reside at 1511 Kings Road and am writing to voice my support for the Planning Commission's decision to approve a height variance for the Reed residence. The staff report for the Planning Commission presented a great amount of information regarding the topographic constraints of the Reed's property, including renderings showing the location of the gully which is the reason for the requested variance. The information provided was helpful in understanding the uniqueness of the property and that the gully is an unusual site feature that burdens the property with multiple sloping angles and directions that does not generally apply to the other properties in the neighborhood. Each variance should be carefully considered by the City on a case by case basis, as was done by the Planning Commission for this variance.

The design of the home is tasteful and in character with our surrounding community. If the home were to be built on a flat lot, or if there were not a gully on the property, there wouldn't be an issue with height. The Reed's have adequately demonstrated that the variance approved by the Planning Commission is appropriate and the City Council should uphold the decision.

Sincerely,



Jerome A. Fink  
1511 Kings Road  
Newport Beach, CA 92663

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**From:** Denys Oberman <dho@obermanassociates.com>  
**Sent:** Monday, September 09, 2019 2:49 PM  
**To:** Dept - City Council; Brown, Leilani  
**Cc:** Denys Oberman; Peggy Palmer; JWatt4@aol.com; Fred Levine; Laura Curran  
**Subject:** Comment- for the Public Record-Proposed Amendments to Residential Development Standards

PLEASE ENTER MY COMMENTS INTO THE PUBLIC RECORD IN CONNECTION WITH THE CITY COUNCIL STUDY SESSION RE. PROPOSED AMENDMENTS TO RESIDENTIAL DEVELOPMENT STANDARDS.

Mayor and Council Members:

We appreciate that the City Council has initiated ,and City staff has prepared, certain amendments to the City's Residential Development Standards.

The amendments are focused on third floor massing, "beach cottage" preservation, and control of intensification of the current RM zone.

We appreciate the amendments, as they begin to address some of the slippage that has occurred with perpetual variances granted relative to residential building height and envelope, which has been to the detriment of the character and integrity of our residential neighborhoods. Control of excess height and mass is important to maintaining the core of the residential Zoning scheme.

Building envelopes, heights and densities on residential lots have been carefully crafted to preserve many elements of the high quality community inherent in Newport Beach's attractiveness and value : light, air, aesthetics, safety, soil/slope stability, and blending with views and surrounding natural environment.

Newport Beach, in its efforts to allow individuals to "maximize their property value", has become confused that this inherently means, No Limits. This type of thinking has caused a compounding, and damaging impact on surrounding properties, many of our most charming and already-valuable neighborhoods, and the unique natural environmental surroundings that exist in Newport Beach.

We encourage the City Council to uphold clear, responsible standards, and to actively discourage the egregious abuse of Variances that are inconsistent with the true intent of a legitimate variance, and detrimental to many neighbors/neighborhoods. A Classic example of Abuse of Variances without legitimate rationale is the Reed property and residence, scheduled for public hearing at Sept 10 City Council session.

In addition to consideration of the proposed code amendments, we also request that the Council specify that authorities and permissions under the LCP NOT include blanket approval of projects whose proposed designs violate the policies in the General Plan and the Municipal Codes. Projects in the Coastal Zone should be subject to the same review and approval where they propose variations/deviations that any other project would be subject to.

We assume that additional review of Residential Development Standards, and active efforts to control their erosion and variance abuse, will also include Setbacks around residential properties. These are critical for the same reasons as stated in my comments,above.

Please also enter this comment into the Public Record in connection with the Appeal of the Reed Residential Variance for 1113 Kings Road, scheduled for Council Session of Sept . 10.

Thank you for your consideration.

Denys H. Oberman  
Resident and Community stakeholder

.....

( NOTE- please disregard the printed signature and confidentiality notice, below, as these do not relate to our comments. Thank you.)

Regards,  
Denys H. Oberman, CEO



**OBERMAN Strategy and Financial Advisors**

2600 Michelson Drive, Suite 1700

Irvine, CA 92612

Tel (949) 476-0790

Cell (949) 230-5868

Fax (949) 752-8935

Email: dho@obermanassociates.com

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September 5, 2019

VIA ELECTRONIC DELIVERY:  
citycouncil@newportbeachca.gov

City of Newport Beach  
Honorable Mayor and Council members  
100 Civic Center Drive  
Newport Beach, CA 92660

Subject: Reed Residence Variance VA2019-002

Dear Mayor Dixon and Council members:

Until recently my wife and I lived immediately next door to the Reeds at 1101 Kings Rd. We now own a house just down the street from them (1501 Kings Rd). I am in full support of the approved height variance. The gully that is located between the two homes is incredibly steep. There are already variances for the two residences because of the gully.

As pointed out at Planning Commission, the portions of the home that exceed the height limit will not cause a visual impact for the homes located across Kings Road or in the greater community. These areas will not even be visible from Kings Road or from across the street. However, these over height areas would be visible from my residence and it's my opinion that the Reeds have done a good job to minimize the massing in this area. They have utilized additional setbacks at the upper level, down pitched the roof planes, minimized the development on the eastern side of the property, and created several patio areas which provide relief from a large structure.

The Planning Commission made the right decision to approve a height variance for the residence and it should be upheld at City Council. The new residence will be in character with the other homes in the community. The property is one of the biggest lots in the Newport Heights-Cliff Haven community and the home could be substantially larger than what they are proposing.

Sincerely,



Jon and Penny Foshier  
1501 Kings Road  
Newport Beach, CA 92660

c. Jaime Murillo, Planner

**Brown, Leilani**

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**From:** Bruce Bartram <b.bartram@verizon.net>  
**Sent:** Monday, September 9, 2019 4:15 PM  
**To:** City Clerk's Office; Dept - City Council; Murillo, Jaime  
**Cc:** jimmosher@yahoo.com; jwatt4@aol.com; pvpalmer@icloud.com  
**Subject:** Further Comments on Council Item 20 -- Appeal of Reed Residential Variance for 1113 Kings Road (PA2019-060)

Honorable Councilmembers:

From the Staff Report and supporting documents prepared for tomorrow's appeal of Reed Residential Variance for 1113 Kings Road it appears the Planning Commission at its May 23, 2019 meeting was presented with much live testimony and written correspondence. Much of it concerned the proposed 10,803-square-foot, single-family residence and a 1,508-square-foot, four-car garage's incompatibility with the Kings Road neighborhood character.

It should be noted that in *Guinnane v. San Francisco City Planning Com* (1989) 209 [Cal.App.3d](#) 732 the court upheld the local agency which denied a permit on basis of finding that the large size of the house was "not in character" with surrounding neighborhood even though in technical compliance with zoning and building codes.

Similarly, in *Harris v. City of Costa Mesa* (1994) 25 [Cal.App.4th](#) 963 it was held that there was substantial evidence to justify the denial of a CUP to build a second unit for a residence where neighbors objected that the unit would invade their privacy and was incompatible with the neighborhood's character.

A determination of a project's aesthetic incompatibility with the neighborhood does not require expert testimony. The opinions and objections of neighbors can provide substantial evidence to support rejection of a proposed development. *Id.*

In light of the above court decisions, the City Council should give due legal and political weight to the opinions of Kings Road neighbors concerning the incompatibility of the proposed residence with the character of their existing neighborhood.

Very truly yours,

Bruce Bartram  
2 Seaside Circle  
Newport Beach, CA 92663



**CITY OF NEWPORT BEACH**  
Community Development Dept.  
100 Civic Center Drive  
Newport Beach, CA 92660

September 9, 2019  
Project No. BL076.1

Attention: Mr. Jaime Murillo, Senior Planner

Subject: **MEMORANDUM: Review of Archived Document, Slope Creep –  
PROPOSED RESIDENTIAL DEVELOPMENT LOCATED at  
1113 KINGS ROAD, NEWPORT BEACH, CALIFORNIA**

City Project No.: **PA2019-060**

**Associated Documents:**

1. "Engineering Geologic Inspection Site of Proposed Garage, 1113 Kings Road, Newport Beach, California, by H.V. Lawmaster & Co., Inc., dated July 25, 1973.
2. "Geotechnical Investigation for Proposed Residential Development Located at 1113 Kings Road, Newport Beach, California," by EGA Consultants, Inc., dated January 22, 2018.

To City Planning Officials:

*First*, regarding the potential for on-site slope creep. Many factors can contribute to a creep condition, such as animal burrows due to rodent activity, inadequate landscaping, and poor on-site surface drainage. Based on the laboratory results published in our above-referenced soils report, the site soils are not highly expansive. Therefore, a 3-ft. thick creep zone can be used for design of caissons and on-slope structures with the condition that surface drainage at the site must be properly provided and the slope must be properly landscaped (such as non-homogeneous, drought-tolerant, deep-rooted plants) and maintained.

On the basis of these anticipated conditions, any structure proposed on or near the tops of descending slopes should be supported on deepened foundations or caissons that extend below the creep zone in order to mitigate the potential long-term adverse effects of slope creep.

*Secondly*, per the request of the client/homeowners, we have reviewed the archived document (reference 1, above), dated July 25, 1973. Though the '73 report is based on a site walk-through inspection (no subsurface data was collected), we are in general concurrence with the statements regarding slope creep and stability.

In fact, the creep load soil values published in both of the above-referenced soils report present precisely the exact same value. The '73 report allows for a creep load force of 1,000 lbs per foot within the creep zone. Whereas, per the Executive Summary in our report (reference 2):

*On-slope structures/caissons should be designed for creep loads of 1,000 lbs. per foot of depth for the upper three feet.*

Additionally, the '73 report states:

*Existing conditions and slopes appear grossly stable within the site (page 2, reference 1).*

Meanwhile, our soils report dated January 22, 2018 states, in general concurrence (page 8):

*Based on the extrapolation of data and geologic, the geologic structure of the bedrock (bedding) dips at gentle angles (horizontal to 10 degrees) to the north. This structural orientation is considered to be favorable with respect to the gross stability of the rear and surrounding slopes underlain with bedrock.*

Based on the findings of our geotechnical investigation and our professional experience working on similar sites in the area, the proposed construction (including deepened foundations to be supported on caissons and grade beams) will not adversely impact the geologic stability/safety of the subject or adjoining properties.

All recommendations and soils values presented in the soils report dated January 22, 2018 (reference 2) are in accordance with the 2016 CBC, and remain valid.

This opportunity to be of service is appreciated. If you have any questions, please call.

Very truly yours,

*EGA Consultants, Inc.*



DAVID A. WORTHINGTON CEG 2124  
Principal Engineering Geologist



Copies: (1) Greg & Carolyn Reed  
(1) Craig Hampton, AIA  
(1) Shawna Schaffner, CAA Planning

1113 Kings Rd., Newport Beach, CA  
Reed Residence - Letter to Community Development Dept.  
Project No. BL076.1  
September 9, 2019