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Sent: Friday, September 06, 2019 3:52 PM

To: Westmoreland, Liz <LWestmoreland@newportbeachca.gov>

Cc: Dixon, Diane <ddixon@newportbeachca.gov>; Avery, Brad <bavery@newportbeachca.gov>;
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Subject: Stupin Residence (PA2019-100)- Coastal Development Permit Hearing Thursday, Sept. 12

Liz,

Thank you for meeting with us yesterday to discuss the proposed project next door to us. As we mentioned, we are unable to attend the hearing and we want to comment on a few issues for the record.

First, there has not been proper notice for this hearing/project consistent with the provisions of the Municipal Code. Our understanding is that when the *application* is filed with the City, the applicant is required to post on the property a sign saying an application is pending (see NBMC [Sec. 21.50.080](#)). This was never done. When and if a *hearing* is scheduled, the City must post notice of the hearing on the property at least 10 days in advance (NBMC [Sec. 21.62.020.B.3](#)). The applicant is responsible for keeping them posted continuously, throughout the process (including until all possibility of appeal has ended). While the sign was reportedly posted on Friday, August 30, it was removed by someone sometime over the weekend. It was not there when we returned home from our long weekend on Tuesday, September 3. If it were not for a friend, we would not have been aware of the hearing. As soon as we heard, we notified you that the notice was no longer up. There is still no posting up and it is disappointing there is no enforcement of the code. Strangely, we also have not received the mailed notice to date.

Second, is the issue of height. The relaxed height standard in the RM zone is intended to allow construction of **multi-unit** structures.

We feel using the relaxed RM height standard to build a single family home is not appropriate- especially on the water. In fact, the City is supposedly considering doing something about [tall single family homes in RM zones](#) and it will be a [subject](#) of this coming Tuesday's 4:00 p.m. City Council Study Session. Also related is the density issue per the Coastal Land Use plan. While single family homes are allowed in RM Zones, it should only be if they meet the density requirements. The City needs to be consistent in the application of this requirement.

Based upon these issues, we request a continuance. Thank you again for your consideration.

Don & Judy Cole
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