

**Received**  
November 21, 2024

**From:** vanessa martinez <[rockonbaileybailey@yahoo.com](mailto:rockonbaileybailey@yahoo.com)>  
**Sent:** Thursday, November 21, 2024 5:03 PM  
**To:** Planning Commission <[planning.commission@surfcity-hb.org](mailto:planning.commission@surfcity-hb.org)>; William Hennerty Jr. <[billhennerty@yahoo.com](mailto:billhennerty@yahoo.com)>; Tiffany Tina <[tiffanytina012@gmail.com](mailto:tiffanytina012@gmail.com)>  
**Subject:** Please Appeal

Some people who received this message don't often get email from [rockonbaileybailey@yahoo.com](mailto:rockonbaileybailey@yahoo.com). [Learn why this is important](#)

To the Planning Commission:

Subject: Opposition to Proposed Security Fence at the 600 block of Main Street, which is now Tiempo reality.

The argument that Women work on the property and need protection was offensive as there is a woman in every home on both sides of the 600 block of Main.

We, the residents of the 600 block of Main Street, strongly oppose the approval granted on Wednesday, November 20th, by Joanna Cortez regarding the construction of a six-foot wrought iron security fence at 619 Main Street. This decision profoundly affects the historic and residential character of our neighborhood, and we urge reconsideration for the following reasons:

#### Impact on Neighborhood Character

Our historic street has always embodied a unique charm that we, as residents, work diligently to preserve. Introducing a tall, commercial-style security fence into our residential zoning district is inappropriate and detracts from the aesthetic appeal of the neighborhood. Such fences may be suitable for urban areas like downtown Los Angeles or Compton, but they are incompatible with our community's residential and historic identity.

#### Zoning and Compatibility Concerns

The proposed security fence is inconsistent with the residential zoning designation recently established for the 600 block. Allowing this request undermines the intent of zoning regulations and sets a dangerous precedent for future developments. Additionally, the proposed setbacks do not meet residential standards, further emphasizing the incompatibility of this proposal.

#### Lack of Community Input and Oversight

The meeting regarding this proposal was held at 1:30 PM on a weekday, a time when most residents cannot attend due to work obligations. As a result, many neighbors were excluded from the process. While three residents voiced their concerns, no significant action was taken to address or investigate the broader community's objections.

Moreover, it is alarming that this decision was made solely by one individual without adequate oversight or consideration of its impact on our neighborhood. Such decisions, which have far-reaching implications, require a higher level of scrutiny and community involvement to ensure they align with the long-term interests of residents.

#### Request for Action

We respectfully urge the Planning Commission to appeal and review this decision thoroughly. It is crucial that the proposal's compatibility with the residential zoning and its impact on the neighborhood character be reassessed with proper community input and oversight.

This issue is not just about a fence but about preserving the integrity and livability of our historic neighborhood. We ask that the Planning Commission prioritize the interests of the residents who have invested in this community over an incompatible and unnecessary request.

Thank you for considering our concerns.

Sincerely,  
Martinez, Hennerty, Dubar

On behalf of the residents of the 600 Block of Main Street

**Received**  
January 28, 2025

Dear Councilman-elect Don Kennedy,

Hi, congratulations on your recent election!

**We endorse Tiempo's fence design and want you to reconsider your appeal of this issue.**

We are the neighbors directly across the street from Tiempo from the corner of Main Street and Palm Avenue south, specifically 636 Main Street. We have watched the gentleman who bought the mortuary struggle for several years with his massive investment to comply with all the city codes, and Huntington Beach.

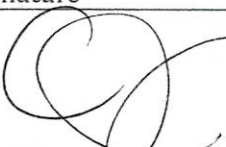


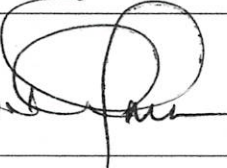

We look at that property every single day from our front door and front window. We so admire and respect Steve Whitaker and the incredible effort, both physical and financial that he is invested in this property constantly meeting with us to make sure that we're happy with what he is doing. There's a lot of traffic and activity and we have watched Steve Whitaker do everything he possibly can to make this commercial building in a zoned commercial district to be as neighborhood friendly as a possibly be.



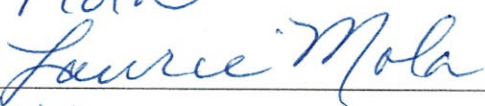



We want Mr. Whitaker's proposed fence design - **please reconsider your appeal of this issue.**

We are the ones that are affected. We are the ones who endorses plan. We are the ones that totally support his design.

Thank you so much for your consideration of what is the only rational approach that Steve could possibly take with this high-profile property.

I've asked my neighbors to substantiate this appeal and they are as follows by address:

#	Printed Name / Signature	Home Address	Date
1	Carlton Jones 	636 Main St HB	11/29/24
2	David Gavofeh 	630 Main St. HB	12/5/25
3	Paul/Norman Palk 	620 Main St.	12/5/24
4	Andrew Larson 	638 MAIN ST.	12/5/24
5	KATEY LARSON 	638 MAIN ST	12/5/24

#	Printed Name / Signature	Home Address	Date
6	Amy Hart 	612 Main St.	12/5/24
7	TED FRANKIEWICZ T.C. Frankiewicz	614 MAIN ST.	12/5/2024
8	Rita Jones 	636 Main St.	12/5/2024
9	Laurie Mola 	632 MAIN ST <del>714</del>	12/10/2024
10	Sue Williams 	634 Main St.	12/14/2024
11	CHIP WILLIAMS 	634 Main St	12/14/2024
12	TODD HARRIS 	1119 MAIN ST	12/14/24
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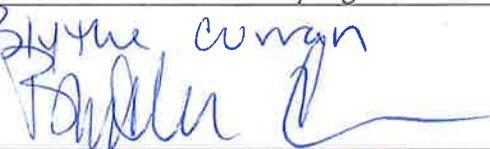


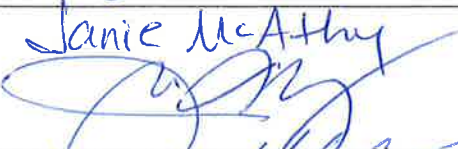
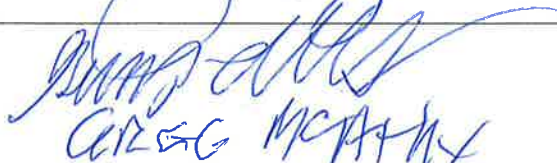
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#	Printed Name / Signature	Home Address	Date
1	Blythe Conyn 	510 7th Street, HB, CA 92648	12/10/2024
2	CLAIRE H. LAND 	2000 PCH #118 Huntington Beach CA 92649	12/10/24
3	Louis Dennis 	16821 S Pacific A Sunset Beach, CA 90742	12/10/2024
4	Janie McAtthy 	6772 Presidente HB, CA 92648	12/10/2024
5	 GEORGE McATTHY	6772 PRESIDENTE H.B. CA 92648	12/10/2024

#	Printed Name / Signature	Home Address	Date
6	LARRY DINEEN Kelly Bartlett	607 7th St, HB, CA 92648	12/10/24
7	Dave Bartlett Dave Bartlett	607 - 7th St Huntington, CA 92648 Beach	12/10/24
8	Marcia Curran Marcia Curran	516 7th Street Huntington Beach	12/10/24
9	JON LEVIN Jan Levin	21271 ELDA Circle Huntington Beach	12/10/24
10	Michael G. Curran	516 7th St, HB	Dec 11, 2024
11	ERIN DINEEN	7400 Center Ave #24 H.B. CA 92642	12/11/24
12	LIZ KIRKSEY Liz Kirksey	709 10th Street HB, CA 92648	12/11/24
13	Printed Stamp April Sharp	827 11th St. HB CA 92648	12/11/24
14	April Sharp April Sharp	827 11th St HB. CA. 92648	12/11/24
15	Bart DeBoe Bart DeBoe	527 12th HB 92648	12/11/24
16	Victoria Hill Victoria Hill	8511 Kewo Drive HB CA 92646	12/11/24
17	Rick CARUSO Rick Caruso	20902 Brookhurst HB CA 92646	12/11/24

#	Printed Name / Signature	Home Address	Date
19	Chanel Fugnetti Chanel Fugnetti	316 main st HB	12/10/24
20	Sam Ismail	301 MAIN ST HUNTINGTON BEACH	12-10-2024
21	Michael Downey	125 16 <sup>TH</sup> ST APT 18	12-10-
22	ROXANN CRACCIA [Signature]	9192 BROWNING DR HB CA 92646	12/10-24
23	[Signature]	16461 VENUS DR. WESTMINSTER, CA 92683	12/10/24
24	[Signature]	17692 Steiner Cir HB, Ca 92647	12/10/2024
25	[Signature]	200 MAIN ST I-H-O-F HB 92646	12/10/2024
26	Brenda Chapman	424 8 <sup>th</sup> St H.B. 92648	12/10/2024
27	Dario Corona	718 main st Hunt. Bch	12-10-24
28	Jennifer Leone [Signature]	19221 Tideline crt HB, 92618	12.10.24
29	Lewis Denigo Lewis Denigo	803 MAIN ST H.B 92648	12-10-24
30	Denise Denigo [Signature]	18581 Pueblo Cir Hunt. Beach, CA 92646	12/10/24

Dear Councilman-elect Don Kennedy,

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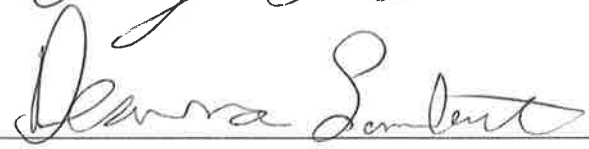

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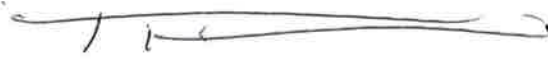




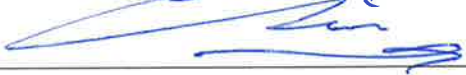
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#	Printed Name / Signature	Home Address	Date
1	Howard F. Ketter Howard F. Ketter	803 MAIN ST HB Formerly 623 7TH ST, HB	12/10/24
2	TED SZUBA Ted Szuba	302 CREST AVE	12/10/24
3	CAROL Szuba Carol Szuba	302 Crest Ave HB CA 92648	12/10/24
4	Susan Jones Susan Jones	821 Main St Huntington Beach 92648	
5	Donald Jones Donald Jones Great Idea	821 Main St	12/10/24



#	Printed Name / Signature	Home Address	Date
6	CAROLINE XANTHAKIS 	19152 SHORELINE LN 8 HUNTINGTON BCH, CA 92048	12/10/2024
7	Maria XANTHAKIS 	6821 Presidente Dr Huntington Beach CA 92648	12/10/24
8	JAMES XANTHAKIS 	6821 Presidente Dr HB CA 92048	12/10/24
9		3662 Seascapc Dr HB. CA 92049	12/10/2024
10		327 Main St. Huntington Beach, CA 92648	12/10/2024
11		1818 PINE Street Huntington Beach, CA 92648	12/10/2024
12		322 Main St. Huntington Beach Ca. 92646	
13		22021 Hula Cir. Huntington Beach Ca. 92646	
14	Sean M. Stanley	16792 Talisman Lane H.B., CA	12-10-24
15	Makin Waves salon James Castro	320 main st H.B. CA	12-10-24
16	MICHAEL BUTLER Mrs B. H 17991 HALLCROFT HB CA 92647 BOLSA	17991 HALLCROFT HB CA 92647	12-10-24
17	Andrissa Dominguez 	316 7th St. HB, CA 92648	12/10/24

#	Printed Name / Signature	Home Address	Date
19	Chelsea Roger 	6002 Kenwick Circle, Huntington Beach, CA 92648	12.11.2024
20	Thomas Kirksey 	709 10th Street Hunting Beach, CA 92648	12/11/24
21	Clay Kirksey 	709 10th Street Huntington Beach CA 92648	12/11/24
22	Jennifer Diluzio 	19732 Quiet Bay HB CA 92648	12/12/24
23	Claire Kirksey 	19215 Shoreline Ln. Unit 1 Huntington Bch, CA 92648	12/12/24
24	Liam McCloskey 	19215 Shoreline Ln. Unit 1 Huntington Bch, CA 92648	12/12/24
25	CHRIS TAYLOR 	1925 PARK ST. H.B., CA. 92648	12/16/24
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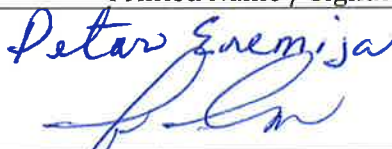
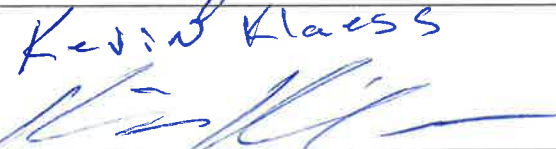
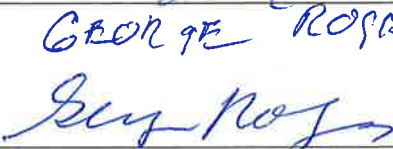

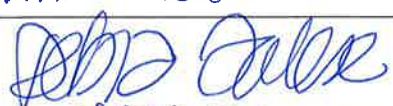
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#	Printed Name / Signature	Home Address	Date
1	 Petar Zaremija	617 7TH ST	12-12-24
2	 Kevin Klaess	714-658-0591 419 MAIN ST	12-12-24.
3	 GEORGE ROSEAS	OWNER OF 617 AND 619 MAIN ST. 714 969 6909	12-12-2024
4	 MIKE QUOC NGUYEN	627 7TH ST. HUNTINGTON BEACH	12/12/24
5	 DEBRA PALESE	623 7th St. Huntington Beach 714.749.8954	12/12/24

**Received**  
February 3, 2025

**GEORGE L. ROGERS**

**6351 Morningside Drive  
Huntington Beach, CA 92648  
(714) 969.6898**

February 3, 2025

CITY OF HUNTINGTON BEACH  
Office of Zoning Administrator  
Office of Planning Commission

To Whom It May Concern,

As the property owner of 617 Main Street and 619 Main Street, the two properties that are directly next to 625 Main Street (Tiempo Escrow, Inc.), please consider this letter my formal endorsement of the proposed security fence on Main Street and 7<sup>th</sup> Street, necessary, in my opinion, to secure the property owner's business, employees, personal and private property.

I have reviewed the renderings for both sides of the property and found them to suit the neighborhood and surrounding areas, without issue.

The rehabilitation of the property at 625 Main Street has improved the look and feel of the neighborhood. The Whitaker's have invested in the community and neighborhood by upgrading the very old and dilapidated property that once housed a mortuary.

While the remainder of the block may have been rezoned as residential, the three lots owned by the Whitaker's are still zoned commercial, therefore the residential requirements should not be taken into consideration. It is my request that security fence the Whitaker's are proposing be approved immediately.

Respectfully,



GEORGE L. ROGERS

#	Printed Name / Signature	Home Address	Date
6	<i>Christopher Dominguez</i> <i>Christopher Dominguez</i>	623 7th St. Huntington Beach 92648	12-12-24
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**Received**

March 5, 2025

Newmeyer & Dillion LLP  
895 Dove Street  
Second Floor  
Newport Beach, CA 92660  
(949) 854-7000

March 5, 2025

Jason Moberly Caruso  
Jason.Caruso@ndlf.com

**VIA EMAIL ONLY**

Jennifer Villasenor  
Director of Community Development  
Secretary, Planning Commission  
City of Huntington Beach  
2000 Main Street  
Huntington Beach, CA 92648  
[jvillasenor@surfcity-hb.org](mailto:jvillasenor@surfcity-hb.org)  
[planning.commission@surfcity-hb.org](mailto:planning.commission@surfcity-hb.org)

Re: CUP 24-026 (625 & 627 Main Street, Huntington Beach)

Dear Ms. Villasenor:

Our office represents Aimee and Steven Whitaker, the owners of 625 & 627 Main Street (the "Property") as concerns the appeal of the Zoning Administrator's approval of Conditional Use Permit No. 24-026 ("Permit"), which has been continued for hearing on March 25, 2025. The purpose of this letter is to interpose certain objections to the process to date, and to support the denial of the instant appeal. We request that this letter be included as part of the record on this appeal and be provided to the Planning Commission for their consideration prior to the hearing.

**Background**

The Whitakers are the owners and officers of Tiempo Escrow, which has been an Orange County small business since 1981, and has operated at the Property since 2024. Since purchasing the Property in 2024, the Whitakers have invested well over \$1 million total remodeling and improving the Property, which sits at the corner of 7<sup>th</sup> and Main Streets. Unfortunately, despite the posting of no parking / no trespassing signs throughout the lot, the Whitakers have experienced uninvited third parties entering into their parking lot, and even parking overnight. Third parties have even relieved themselves in the parking lot on occasion, and have loitered / slept on the Property in the past. Not only does this prevent the Whitakers from fully utilizing their property, it exposes them to potential liability and expense.

To address the situation, the Whitakers applied for the instant Permit to allow them to 1) construct a 6-foot tall open slat wrought iron fence (18 inches taller than the

6146.101 / 16165365.3

maximum in the front yard setback); 2) maintain an 11-foot vehicle stacking distance instead of the required 20-foot distance; and 3) permit the fence to be constructed within a portion of the 10-foot visibility triangles located at the rear exit.

It is the Whitakers' understanding that the residents of adjacent properties raised aesthetic concerns for the proposed fence. To address those concerns, the Whitakers agreed to modify their plans to include shrubbery along the fence on the Main Street side, to visually soften the appearance of the proposed fence. An additional planter area was also added along the 7<sup>th</sup> Street side, near the junction of the rear alley.

### **Approval and Appeal**

On November 20, 2024, the Zoning Administrator approved the Permit, subject to the foregoing conditions, supported by all findings required by Municipal Code § 241.10. It is the Whitakers' understanding that on November 22, 2024, then-Planning Commissioner (now City Council Member) Don Kennedy by email appealed that decision. The Whitakers also understand the decision was appealed by another nearby resident.

The Whitakers have not been provided copies of the foregoing appeals, despite their in-person requests at City Hall for the same. Nor has the Whitakers' architect (the project applicant) been provided them. Municipal Code § 248.20(A) & (B) together provide that an appeal must be in writing and specify the grounds for the appeal, and must be filed with the Director of Community Development. Further, such an appeal is to be scheduled for hearing within 30 days. (Muni. Code § 248.24(B).)

The initial February 11, 2025 hearing of this appeal was not scheduled within 30 days, and to date the Whitakers have still never been provided the grounds for the instant appeal. The Whitakers respectfully object that they have accordingly not been provided due process, and that they have been prejudiced by the delay of this hearing.<sup>1</sup> (See *Wilson v. City of Laguna Beach* (1992) 6 Cal.App.4th 543, 557 ["Delay is the deadliest form of denial" as concerns property development].)

### **The Appeal Should Be Denied, and the Whitakers' Permit Approved**

Deviations from the maximum height requirements for fences and walls are permitted upon approval of a Conditional Use Permit by the Zoning Administrator. (Muni. Code, § 230.88(A)(7).) Here, the Zoning Administrator properly approved the Whitakers' Permit, supported by all appropriate findings. (Muni. Code, § 241.10(A).)

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<sup>1</sup> While the Whitakers sought a continuance to March 25, 2025, they did so in order to engage counsel, having determined that under the circumstances, they needed to engage counsel.

First, the proposed gate and fence will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. To the contrary, restricting access to the Property overnight by uninvited third parties would be beneficial to the surrounding neighborhood. The fence is consistent with front fence designs in other residential areas in the City. Its open slat design will not interrupt sight lines or substantially restrict visibility. The landscaping and planting in front of the fence will also be pleasing and soften the fence's appearance. Since the access gate will remain open during the day, there is no risk of backup into the street, particularly given the relatively small volume of invitees to the Property at any given time.

Second, granting the Permit will not adversely affect the General Plan. The Property is not located in the Coastal Zone, and granting the Permit would be fully consistent with the Property's Commercial General designation. Granting the Permit would also be consistent with the Land Use Element's goals, including but not limited to coordinating development to ensure consistency with the goals and needs of the community (LU-1), and fostering commercial land uses to meet regional and local needs (LU-11).

Third, granting the Permit would also comply with the provisions of the base district and other applicable provisions of the Zoning Code. Again, while the subject fence and gate slightly exceed default height restrictions, the minor deviations sought by the Permit are a permitted use in the Commercial General district. (Muni. Code, §§ 211.06, 211.07(J) & 230.88(A)(7).)

The Whitakers understand that some of their neighbors are concerned that the proposed fence will negatively affect the residential character of the neighborhood. The Whitakers appreciate those concerns, and have designed the fence to minimize that impact. Further, the Whitakers have already agreed to include additional landscaping along the front setback and an expanded planter area on the other side of the Property, all subject to the Community Development Department's approval of a landscaping plan. The Zoning Administrator has included those in the Permit's conditions of approval. Those aesthetic modifications will add an estimated \$10,000 to the cost of the Project.

## **Conclusion**

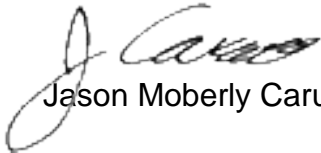
In sum, the Planning Commission should uphold the Zoning Administrator's approval of the Whitakers' Permit, and deny the subject appeal. The Permit was appropriately issued in the first instance, and was supported by all appropriate findings. The Permit's conditions fully address any concern for impact on the character of the neighborhood, at no small additional expense to the Whitakers.



Jennifer Villasenor  
Director of Community Development  
March 5, 2025  
Page 4

The Whitakers and the undersigned plan to be present at the hearing of the appeal to address any questions or remaining concerns. Should staff desire any further information in the meantime, please contact the undersigned directly at 949-271-7388 or via email to [jason.caruso@ndf.com](mailto:jason.caruso@ndf.com).

Respectfully,



Jason Moberly Caruso

JMC:JMC

cc: Aimee & Steven Whitaker