VIII-2

CITY OF COSTA MESA
P. O. Box 1200
Costa Mesa, CA 92628-1200

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CITY OF COSTA MESA BY

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# APPLICATION FOR REVIEW, APPEAL OR REHEARING

Applicant Name Michael Keeler

Address 2260 Orange Ave

Phone 949-228-5352 Representing*

REQUEST FOR: ☐ REVIEW** ☐ APPEAL ☑ REHEARING

Decision of which review, appeal or rehearing is requested: (give number of rezone, zone exception, ordinance, etc., if applicable, and the date of the decision, if known.) Jan 6th 2009

Resolution No 09-5

2258 Orange Ave to be a Public Nuisance

Decision by: City Council

Reasons for requesting review, appeal or rehearing:

Please see attached notice 4 pages

Request for waiver

Sec 1-44 Ord No 97-27 & 39297

Ord No 00-12 & 1,716-00

Date: 1-13-2009 Signature: Michael Keeler

For office use only – do not write below this line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:
If review, appeal or rehearing is for person or body other than City Council/Planning Commission, date of hearing of review, appeal or rehearing:

* If you are serving as the agent for another person, please identify the person you represent and provide proof of agency.
** Review may be requested only by City Council or City Council Member
Costa Mesa/Forms1/Application for Review-Appeal-Rehearing

ON JAN 6 2009 CITY COUNCIL DECLARED 2258 ORANGE AVE A PUBLIC NUISANCE 5 to 0.

THIS RESOLUTION WAS BASED ON THE FACTS THAT KHANH NGUYEN AND DAVID LAMM SUBMITTED IN THE JAN 6 CITY COUNCIL AGENDA REPORT. THIS REPORT WAS ISSUED TO PROPERTY OWNER MIKE KEELER BY CERT MAIL ON 1-8-2009. THIS REPORT COULD NOT BE FURTHER FROM THE TRUTH.

MAKE YOUR DECISION ON THE TRUTH NOT LIES.

WITHIN THE TITLE "CONSTRUCTION HISTORY" THERE ARE 5 OUT OF 7 TOPICS THAT REQUIRE TO BE REVIEWED & CORRECTED

WITHIN THE TITLE "CODE ENFORCEMENT HISTORY" THERE ARE 3 OUT OF 8 TOPICS THAT REQUIRE TO BE REVIEWED & CORRECTED

WITHIN THE TITLE "ANALYSIS" THERE ARE 3 OUT OF 4 TOPICS THAT REQUIRE TO BE REVIEWED & CORRECTED

LAST BUT NOT LEAST THE Building PERMITS for BOTH 2256 & 2258 WERE REINSTATED By Building official KHANH IN AUG 2008 THE PERMITS WERE REINSTATED for AN ADDITIONAL 6 MONTHS & TO EXPIRE IN FEB 2009.

I would LIKE TO BRING TO CITY Council's ATTENTION THE MEETING held By KHANH AT THE FIRST FLOOR of CITY HALL Conference ROOM.

THE people WHO ATTENDED WERE property owner, neighbors, CODE ENFORCEMENT Building OFFICIALS, Building INSPECTORS AND 2 COSTA MESA policemen.

THIS MEETING WAS RECORDED AND AT NO TIME WAS I DIRECTED TO CONVERT 2258 BACK TO A VACANT DIRT LOT. I WAS NOT TOLD THAT 2258 WAS A public NUISANCE.

THIS MEETING will prove AND CONFIRM SOME of LIES THAT ARE Being APPLIED TO THESE HEARINGS.

AFTER THIS MEETING A STOP WORK ORDER WAS LIFTED AFTER SOME 40 DAYS of Being INSTATED.

IF MY PERMITS WERE EXPIRED IN JUNE of 2008 LIKE KHANI STATES. How could WORK BE ALLOWED TO CONTINUE PER Schedule. I SUBMITTED AT THIS MEETING IN August of 2008.

I HAVE REQUESTED A COPY of THE STOP WORK ORDER and for ITS ORIGINAL REASON. I REQUESTED IT BY phone, FAX and in person at THE COUNTER I STILL DO NOT KNOW WHY OR DO I HAVE any PAPER WORK ON THIS STOP WORK ORDER.

DUE TO THE LENGTH of THIS STOP WORK ORDER, THE LENDER of THE CONSTRUCTION LOAN held BACK Final DRAW TO THIS DAY.

THE COST of THIS STOP WORK ORDER WAS 13,500 IN INTEREST alone.

AS STATES IN AGENDA REPORT PROPERTY OWNER STATES FINANCIAL INCAPABILITY THIS IS VERY MUCH THE TRUTH AND CAN BE BACKED UP WITH DOCUMENTATION I REQUEST A WAIVER of FINE DEPOSIT TO ALLOW SOME of THE TRUTH TO BE HEARD ORD NO 00-12 & 17-16-00

SEC 1-44 ORD NO 97-27 & 39-297

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER

PROPERTY OWNER
Michael Keeler

Michael Keeler
1-13-2009

# AGENDA REPORT
# WRONGFUL FACTS STATED

* THE AGENDA REPORT FOR MEETING DATE OF 1-6-2009 WAS MAILED CERTIFIED TO Michael Keeler ON 1-8-2009.

## Construction History

#2 info. stated in #2 are incorrect.
- The entire basement was not poured until the end of December 05.

#3 no corrections were made to the basement & we informed the city about the defects.

#5 States that the revise plans were approved & built accordingly. (problem fixed)
- We did submitt plans but no work was done to correct problem due to litigation.

#6 We are not using 2258 as a staging ~~area~~ area. (cheap shot)

#7 states that there was no request to reinstate permits
- We had inspections from the Gas Co., Edison & Sanatation dept which automatic reinstate our permits for 6 months.

#

Code Enforcement History

#1 The only vehicles towed from our house were AAA towing our car to the shop. NO NOTICE AT ALL ON MUSIC OR LIGHT
47 police calls - we were never giving a citation. Anytime police came they were so nice & stated no construction noise was heard. We were mailed $500.00 tickets for taking our trash out on Tues. after 8PM

On 11-11-08

#2 CITATIONS ALL MAILED CITY ATTORNEY at COUNCIL MEETING STATED NOT Valid unless CONFIRMED By CUP OR CODE

#3 AT MEETING, WORKING AFTER 8:00 WAS declared OKAY NO ACCESS FROM SIDEWALK

#8 THE Building DIVISION INFORMED US IN JAN of 2009 TO REMOVE all MATERIAL & EQUIPMENT, REMOVE BASEMENT & RESTORE TO VACANT LOT NOT AS of JUNE 2008

ANALYSIS

#1. Since 2005, A NEGATIVE IMPACT. IMPROPER COMPLAINTS FROM TODD MARSH (SEE police Report)
NO-GLARE IMPACT NOTICED

#2. THE BASEMENT IS NOT 9 FEET DEEP IT IS 8 FEET. THE PROPERTY HAS BEEN FENCED AND ENFORCED BY CODE ENFORCEMENT.

#3 THE OWNER HAS NOT IGNORED STAFF DIRECTION TO RESTORE TO VACANT, BECAUSE STAFF NEVER DIRECTED ME TO DO SO UNTIL THIS Council MEETING 1-6-09

#4 YES FINACIAL PROBLEMS, BUT NEVER STATED NO INTENTION of RESTORING TO VACANT LOT

#5 AT public Hearing CITY ATTORNEY STATED NO CITATIONS ARE MAILED OUT WITHOUT CONFIRMATION OF VIOLATION - STAFF DIRECTED TO SET UP A MEDIATION MEETING TO RESOLVE OUTSTANDING ISSUES - THIS MEDIATION MEETING NEVER WAS SCHEDULED OR DID IT HAPPEN.

#6 THIS MEETING DID OCCURE BUT NOT IN AUGUST 2007, BUT AUGUST 2008 - AT THIS TIME A STOP WORK ORDER WAS IN AFFECT FOR OVER 45 DAYS CAUSING THE LENDER OF CONSTRUCTION LOAN TO HOLD BACK FINAL DRAW TO ALLOW COMPLETION OF PROJECT.

#8 WE WERE NOT NOTIFIED OF EXPIRED PERMITS UNTIL JAN 2009. SINCE 2008 OF JUNE - GAS CO, EDISON, AT&T, CABLE AND SANITATION HAD MADE MANY INSPECTIONS ALLOWING PERMITS TO BE LEGAL