

Planning and Building Agency
Planning Division
20 Civic Center Plaza
P.O. Box 1988 (M-20)
Santa Ana, CA 92702
(714) 647-5804

APPEAL APPLICATION

I. OWNER/APPLICANT

Applicant FARZ, INC. & Fred Cohen

1201 S. Brookhurst Street, Anaheim, CA 92804
Mailing Address

Full name of Person, Firm, or Corporation

(714) 390-0886

Area Code Phone No.

Legal Owner Name: FRED HEINECKE GOULD PROPERTIES LLC

Legal Owner Address: 47 Marbella

San Clemente, ca 92673

Phone No.: (390) 650-8336 () Fax: ()

II. PROPERTY INFORMATION

Land Use VACANT (APPROVED FOR GAS STATION IN 2020) C5 C5
Existing Land Use of Property and/or Building Zoning District General Plan Designation
Location 2230 N. Tustin Avenue, Santa Ana, CA 92705 SANTA CLARA
Street Address Name of Nearest Intersecting Street

SEE REVERSE SIDE FOR SUBMITTAL REQUIREMENTS

III. REASON FOR REQUEST

In the following provided space, please clearly specify and explain the error(s) of decision or requirement upon which you are basing this appeal. (If additional space is needed, please attach additional comments to the back of this application.)

SEE ATTACHED

Applicant's Signature: 

Date: 07/05/2023

APPEAL APPLICATION NO. 2023-6-APC

SUBMITTAL REQUIREMENTS

1. An appeal application form (Exhibit 1).
2. A letter stating the nature of the appeal (in lieu of the space provided on the appeal form).
3. The application fee.
4. Any other pertinent information that the application warrants.

MEMORANDUM

TO: Finance & Management Services Agency
FROM: Planning and Building Agency
SUBJECT: Miscellaneous Cash Transaction



MCT # 66420

Thursday, July 6, 2023

All fees are subject to change at any time and may also be affected by scheduled adjustments on July 1 of each year. The Payee must pay the prevailing rate at the time payment is made.

PROJECT NAME:	Tustin Service Station	MASTER ID # 2017-137796
PROJECT ADDRESS:	2230 N Tustin Ave, Santa Ana, CA 92705	AP # 396-341-06
Application #	APPL-2023-6-APC	Permit #

ISSUED TO: Fred Cohen
CJC Design Inc.
ADDRESS: 22485 La Palma Avenue, Suite 202
Yorba Linda, CA 92887

ITEM	DESCRIPTION	QTY	UNIT	RATE	AMOUNT	FUND NO.
1	Appeal (Applicant)	1.0000		\$4,944.00	\$4,944.00	01116002 53606
<div>Batch#:69218 - 7/6/2023 ID: ELIZABETH Office: CTYH Trans#: 15 1 of 1 Acct#: Ref#: 66420 Rcpt#:03853713 - 7/6/2023 10:19 AM Transaction Total \$4,944.00 TUSTIN SERVICE STATION Planning Misc. \$4,944.00 01116002- 53606000- ICL Check 0117 \$4,944.00</div>						

TOTAL MCT AMOUNT: \$ 4,944.00

Comments:

Issued By: Santana, Cristian (Planning and Building Agency)

NOTES: For payment to be considered complete, a Miscellaneous Cash Transaction (MCT) must be paid in full. Applicant must return to Planning with stamped cashier validation of the paid MCT for closure in the Planning system.

<u>GL Account #</u>	<u>Total</u>
01116002 53606	\$4,944.00



2107 N. Broadway, Suite 106 Santa Ana, CA 92706

Tel: (714) 667-7171 | Fax: (714) 667-0477

legal@blakeandayaz.com

www.blakeandayaz.com

July 5, 2023

Delivered in Person

Jennifer L. Hall
Santa Ana City Clerk
20 Civic Center Plaza, M-30
Santa Ana, CA 92701

Re: **GROUND FOR APPEAL**
Conditional Use Permit No. 2019-41-MOD-1 and Conditional Use Permit No. 2023-03

Ms. Hall:

Please allow this correspondence to set forth some of the grounds to appeal the decision made by the Planning Commission at its scheduled hearing on June 26, 2023 with regard to the above entitled matter.

GROUND TO APPEAL

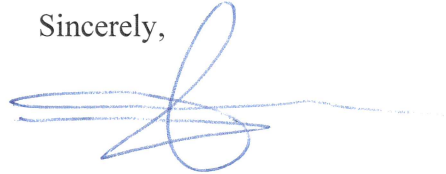
1) Findings cannot no do support the decision of the planning commission; 2) Facts relied upon by the decision body are not supported in the record 3) The manner in which the hearing was conducted along with the actions of several planning commissioner violated the law, to include but not in any way limited to the applicants constitutional rights, the Brown Act, the Santa Ana Municipal code and various legal and binding precedents of the state and federal courts; 4) Grave procedural errors including but not limited to requiring applicant to file an appeal without providing a written determination of the city's decision, to include factual analysis and/or findings; 5) Decisions was not based on land use principals or laws; 6) The planning commissioners failed to consider applicant's testimony and evidence, rather they had made up their minds well before the hearing even took place; 7) Planning Commission failed their duty in remaining neutral and unbiased in the decision making; 8) There was no evidence either substantial or circumstantial provided at the hearing to support the Planning Commission's decision to deny applicants application; 8) and any other grounds based on review of the entirety of the record to include,

July 5, 2023

Page | 2

once actually prepared received by the city, the actual written determination/decision which as of the date of the filing of this appeal has not been provided to applicant.

Sincerely,



F. Michael Ayaz
Attorney At Law

Applicant Signature:

