

From: [Ling, Xue](#)
To: [Cove Britton](#)
Cc: [Mikhail, Leza](#)
Subject: RE: [EXTERNAL] Re: ZA Webpage
Date: Wednesday, June 23, 2021 5:16:00 PM
Attachments: [image002.png](#)

Hi Mr. Britton,

I have discussed your request with Leza. We are going to post the email below as requested as Additional Public Comments.

Sincerely,

Xue Ling
Associate Planner
Department of Planning and Development
Direct: 408-299-5784
70 W. Hedding Street, 7th Floor, East Wing
San Jose, CA 95110

Please visit our [website](#).

Click [here](#) to look up unincorporated property zoning information.

Questions on the status of your permit? Please e-mail: E-Permits@pln.sccgov.org

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From: Cove Britton <cove@matsonbritton.com>
Sent: Wednesday, June 23, 2021 4:05 PM
To: Ling, Xue <xue.ling@pln.sccgov.org>
Subject: Re: [EXTERNAL] Re: ZA Webpage

Dear Ms. Ling-

My apologies for the confusion.

Please include my prior (see below) email regarding the request for extension in the public comment.


Cove
Britton <cove@matsonbritton.com>

10:38 AM (5 hours ago)

to jacqueline.onciano, Xue



[REDACTED]

[REDACTED]

Dear Ms. Onciano:

As the applicant for PLN20-124 (351-42-004) I am requesting an extension of 90 days under Government Code 65957.

Respectfully Ms. Leza Mikhail and I have had numerous interchanges where I consider her to be problematic in a professional sense. I can forward several emails that I believe substantiate that opinion.

Your County Counsel (Chris Cheleden) is familiar with my office and I can also refer you to current and past Planning Directors and Building Officials that can attest that I and my office are reputable.

Ms. Mikhail continues to not acknowledge errors made in the processing of this permit application have been made. Mistakes happen....we all make them but not acknowledging them is very disturbing.

However I would like to move on from that and have a reasonable discussion regarding this project with someone other than Ms. Mikhail (I suspect she would agree).

I want to point out some things that Ms. Mikhail made clear that no respectful dialog would be had between us regarding (and did not schedule a meeting to discuss despite my request). This house is not controversial. It is approximately 2 miles from the valley floor. I.e. virtually not discernible and it is not on a ridge line. The elevation facing the valley floor is well below the height limit. The downhill side of the house (the tallest portion of the house) does not face the valley and trees are proposed to soften that elevation. What is to me most perplexing/concerning, is the claim that the house does not step down the hill.....when the only reason that claim (inaccurate as it is) is because the uphill portion of the home is also well below the height limit. I.e. If we raised the uphill height of the house it would demonstrate that the house was stepping down the slope. But why do that? To me it was an ill informed comment but I was not afforded the opportunity to have a reasonable discussion regarding those types of matters.

To say that I am frustrated by the lack of respectful dialog is an understatement. But I would like to move on from that and request that opportunity with someone other than Ms. Mikhail (as in my experience no respectful *dialog* will occur).

I should note that the project is just about ready to resubmit addressing the incompleteness comments. As I noted to the Planning Commission our intent is to present them with a complete package. Frankly I think if Ms. Mikhail had politely acknowledged the error of contacting Melissa Waters (to gain an extension to the 30 day requirement) I would have granted it.

Thank you for your consideration.

Cove Britton

Matson Britton Architects

O. (831) 425-0544

On Wed, Jun 23, 2021 at 3:50 PM Ling, Xue <xue.ling@pln.sccgov.org> wrote:

Hello Mr. Britton,

The email is uploaded under Additional Public Comment (highlight in yellow). You can also access the staff report by clicking the hyperlink in blue font (Item #4-PLN20-124).

- [Item #4 - PLN20-124](#) - Concurrent land use entitlement of a Design Review (Tier II) and Grading Approval for a 10,753-square-foot new single-family residence, with attached garages, and improvements of the driveway and septic system on a vacant lot. Grading consists of 1,425 cubic yards of cut and 1,937 cubic yards of fill (total 3,362 cubic yards). The project was deemed complete on May 27, 2021. The project required a Planning Commission Hearing due to misinterpretation of the Permit Streamline Act and failure to obtain an extension to the 30-day review period from the applicant. Incomplete comments from multiple agencies are not addressed in the current submittal package.

- [Additional Public Comment](#)

Best,
Xue

From: Cove Britton <cove@matsonbritton.com>

Sent: Wednesday, June 23, 2021 3:47 PM

To: Ling, Xue <xue.ling@pln.sccgov.org>

Subject: [EXTERNAL] Re: ZA Webpage

Thank you.

Would you also please include the first email request for an extension.

On Wed, Jun 23, 2021 at 3:41 PM Ling, Xue <xue.ling@pln.sccgov.org> wrote:

Hello Mr. Britton,

Please see the Zoning Administration webpage via the link below:
<https://www.sccgov.org/sites/dpd/Commissions/ZA/Pages/ZA.aspx>

Sincerely,



Xue Ling

Associate Planner
Department of Planning and Development
Direct: 408-299-5784
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