



ORANGE COUNTY  
**OC Public Works**  
 MEMORANDUM

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**Date:** March 1, 2023  
**To:** Laree Alonso, Zoning Administrator  
**From:** Kevin Canning, Contract Planner  
**Subject:** Additional Correspondence on PA22-0104 – 52 Emerald Bay (Agenda Item #1)

Staff has received two letters from the neighbor’s attorney regarding the subject project. These letter were provided to the Zoning Administrator separately.

The first letter, ‘2<sup>nd</sup> Demand Letter to EBCA’, is a copy of their submittal to the Emerald Bay Community Association Board of Directors requesting a second mediation to address the neighbor’s concerns. The project’s March 2 staff report notes that there already was a mediation held on February 6, 2023, which resulted in no changes to the project or to the EBCA recommendation on the project. This second letter further discusses EBCA procedural matters and issues relating to the Association’s consideration of the project. In part, the neighbor alledge that various aspects of the EBCA Design Guidelines, and/or CCRs, were inaccurately or inappropriately assessed or were assessed against inaccurate project plans and information.

Staff notes that the issues raised within this letter deal with the EBCA’s private design guidelines and other CCR restrictions which are not applicable to the County’s review and assessment of projects within this community. If the Zoning Administrator desires, staff will be prepared at the hearing to discuss individual aspects of the points within this letter.

The second letter received, ‘Objections to PA22-0104’, is addressed to the Zoning Administrator. Primarily, this letter notes the submittal to EBCA Board for a 2<sup>nd</sup> Request for Resolution, and notes that the Board will not consider this until its meeting on March 7. He therefore requests a continuance of the hearing to March 16. The letter also lists further objections to the project primarily based upon what they contend were errors committed by the EBCA and its Architectural Committee. Again, staff will be prepared at the hearing to discuss individual points raised.