



**ORANGE COUNTY ZONING ADMINISTRATOR
SUMMARY MINUTES
REGULAR MEETING DATE: OCTOBER 2, 2025, 1:30 PM**

I. Call to Order – Meeting called to order at 1:30pm.

II. Minutes of August 21, 2025 were approved by Zoning Administrator, Justin Kirk.

III. Discussion Item(s)

**ITEM #1 SITE DEVELOPMENT PERMIT, USE PERMIT, AND VARIANCE PA21-0164 -
APPLICANT: JOHN AND MARIE KIRCHBERG, PROPERTY OWNER -
LOCATION: 31329 HALFWAY ROAD, SILVERADO, CA 92676 (APN: 105-192-
10), THIRD SUPERVISORIAL DISTRICT**

The applicant is requesting approval of a Site Development Permit, Use Permit, and Variance from the Zoning Administrator to permit the unpermitted construction of living space within a designated floodplain, and overheight fence in the side and front setback, modification to the parking requirement, and reduced side and front setback for the unpermitted additions.

RECOMMENDED ACTIONS:

OC Development Services/Planning recommends the Zoning Administrator:

1. Receive staff report and public testimony as appropriate; and,
2. Find that the project is categorically exempt from California Environmental Quality Act (CEQA) Class 1 (Existing Facilities) and Class 3 (New Construction or Conversion of Small Structures) pursuant to CEQA Guidelines Section 15301 and 15303; and
3. Approve Planning Application PA21-0164 for a Site Development Permit, Use Permit, and Variance subject to the Findings (Attachment 1) and Conditions of Approval (Attachment 2).

SPECIAL COMMENTS:

This item was presented by OC Development Services Associate Planner, Ilene Lundfelt. No presentation on the item was requested by the public. The owners John and Marie Kirchberg each spoke in favor of the project. Grant Hermes spoke in opposition to the project. Mr. Hermes cited concerns about fire issues, increased fuel load to a high fire area, and garage access issues. Andrew Fitchie also spoke in opposition to the project. Mr. Fitchie cites concerns regarding obstruction of view, concerns about the condition of the road and road maintenance. Two letters of comment were received in opposition to the project and posted, as legally required.

The Zoning Administrator stated that fire conditions and flood drainage studies will be

addressed during the permitting process. The existing 6ft fence calculation is limited to the structure and does not include vegetation. All meeting minutes are made public after approval. Lastly, the addition of Condition of Approval #12 was approved noting the reduction of the front fence from 8ft to 6ft. The use permit is approved as stipulated.

The following is the action taken by acting Orange County Zoning Administrator, Justin Kirk.

APPROVED
DENIED

OTHER

IV. PUBLIC COMMENTS:

None.

V. ADJOURNMENT – The October 2, 2025, Zoning Administrator hearing adjourned at 1:57pm.