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Santa Cruz County Planning Department  
701 Ocean Street  
Santa Cruz, CA 95060  
April 25, 2023

Re: Application No. 211316                      Hearing Date: April 26, 2023  
APN: 043-081-13  
Position: DENY APPLICATION (SUPPORT STAFF RECOMMENDATION)

I am writing to express my opposition to approving this project. Also, I do not believe that the Applicant should be allowed at this appeal stage to cure their prior deficiencies.

The Applicant steadfastly refused to provide an alternatives analysis as part of this application, despite clear direction from Planning that an alternatives analysis was required. The County Code is clear that such an analysis is required – the County position on interpreting this code is completely accurate.

The Applicant challenged the County's proper determination that this project includes a shoreline protection structure. It is clear that this project includes a shoreline protection structure. The County position on interpreting this code is completely accurate.

The denial of the project by the Zoning Administrator was fully justified. The state of the project as it has come up on appeal to the Planning Commission has not changed, and it must be denied for the same reasons.

**The Applicant chose to play hardball on this project, using errant interpretations of code, and supported by outside counsel. They have been in the wrong at every step of this process. The project should be denied. The Applicant should not now, at this late stage (after ZA denial) be allowed to provide new application components. Allowing further continuance at this stage is in conflict with the County appeal code; and further it rewards an Applicant who knowingly, errantly, contested Planning Department requirements.**

This project should not be approved. Applicant should not now be allowed to provide application components at the level of appeal. One cannot find good faith in the Applicant's approach. The application should be denied and no further continuance should be granted.

Thank you for your consideration of these comments.



Michael A. Guth