

James & R. Jean Taylor
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TO: **Supervisor John M. Gioia**
 Board of Supervisors – District 1
Supervisor Gayle B. Uilkema
 Board of Supervisors – District 2
Supervisor Millie Greenberg
 Board of Supervisors – District 3
Supervisor Mark DeSaulnier
 Board of Supervisors – District 4
Supervisor Federal Glover
 Board of Supervisors – District 5

February 13, 2004

TIME SENSITIVE
URGENCY FOR
YOUR REPLY
REQUESTED

FROM: **James & R. Jean Taylor**
Shareholders Round Hill Golf & Country Club
Members Round Hill Property Owners Association

SUBJECT: **County File#VR031032**

RE: **First Notice: July 1, 2003 – Notice from Community Development Department**
Hal Reiland (Applicant) and Hal Reiland & Round Hill Enterprises (Owners),
County File#VR031032: A request for approval of the following entitlements on
the two adjacent parcels has been requested:

- **#76 St. Andrews Lane**
 1. Approval of VARIANCE to allow the establishment of an access road requiring the construction of a retaining wall ranging from 3-FEET in height to 15-FEET in height with 0-FOOT SECONDARY FRONT SETBACK (minimum 20-feet-required) and a 4-FOOT SIDEYARD (minimum 10-feet-required).
 2. Approval of a TREE PERMIT to allow the REMOVAL of 6 OAK TREES, ranging in diameter from 10 to 24-inches and to allow WORK within the DRIPLINE of 7 OAK TREES ranging in diameter from 8 to 50-inches for the construction of an access road and new single family residence.
- **7th Fairway, Round Hill Golf Course**
 1. Approval of a VARIANCE to allow the construction of an access road requiring the placement of a retaining wall up to 4-FEET IN HEIGHT with a 0-foot sideyard (where 10-feet is required).

Second Notice: January 23, 2004 Filed by Community Development Department
Notice of Public Review & Intent to Adopt a Proposed Negative Declaration

The subject properties are located in the Alamo area, at #76 St. Andrews Lane and the 7th Fairway of the Round Hill Golf Course (APN: 193-690-062 and 193-470-025) (Zoning: R-15) (Census Tract: 3461.02).

This request is for your intervention to cancel anticipated hearing before the County Zoning Administrator set for February 23, 2004. No time has been disclosed for the hearing to be held at the McBrien Administration Building, Room 107, Pine and Escobar Streets, Martinez.

As shareholders in Round Hill Golf & Country Club and property owners along the two adjacent parcels identified in these two notices, we believe this hearing is premature because County File #VRO31032 does not contain pertinent information necessary for a true and credible hearing before the County Zoning Administrator. The two referenced notices contain irregularities and misrepresentations. If any hearing is to be conducted on these properties, Community Development Department would need to reissue corrected notices which do not include Round Hill Enterprise or the 7th Fairway of Round Hill Country Club.

**First Notice: July 1, 2003 – Notice from Community Development Department
Hal Reiland (Applicant) and Hal Reiland & Round Hill Enterprises (Owners), County
File#VR031032: A request for approval of the following entitlements on the two adjacent
parcels has been requested:**

1. The applicant Hal Reiland owns only a portion of this property and the other owner, Preferred Secured Agents, Inc., is not included in the application.
2. Round Hill Enterprises, the other cosponsor in this Notice for VARIANCES has disassociated themselves with Hal Reiland. A letter dated January 2, 2004, to shareholders from President Pete Davis and on behalf of the RHE Board of Directors, states as follows:

“Round Hill Enterprises, its Board of Directors and its management have no relationship with the Reilands or their corporation other than Club to member and Club to neighbor.”

3. Round Hill Enterprises, in the letter cited above, refers to an “easement” going back to the late fifties and/or early sixties created by the original developer of this property. However, it is our understanding, that this easement is only for ingress and egress over the golf path and is irrelevant to the access point of entry to this property.
4. The County File reveals a conflict in Clarification of Required Yards (Structure Setback Areas) on the referenced property as to location of the “easement entering site.” This conflict interpreting the easement entry point affects the 1st Notice request for VARIANCES, and needs to be resolved.
5. Round Hill Country Club’s By-Laws are incorporated under the State of California.. There is no recorded indication that the Agreement dated August 25, 1974, has been altered. According to this 1974 Agreement Paragraphs 4 & 10 respectively:

(4) “Enterprises hereby agrees that the portion of the property comprising present open space for the golf course...shall always be restricted to use as a golf course...nor shall any houses or other structures be built on said property or any part thereof...”

(10) “The golf course...shall not be encroached upon by any other use...”

**Second Notice: January 23, 2004 Filed by Community Development Department
Notice of Public Review & Intent to Adopt a Proposed Negative Declaration**

1. The NOTICE OF PUBLIC REVIEW & INTENT TO ADOPT A PROPOSED NEGATIVE DECLARATION is unnecessary and irrelevant because the 1st Notice is flawed. Objections to this Negative Declaration have already been addressed in the enclosed letter to Community Development Department dated February 11, 2004.

We believe the County File #VRO31032 should be closed. Any new County File should not include Round Hill Enterprises or the 7th Fairway of Round Hill Country Club. Any new requests for VARIANCES need only to represent the **current titled owners, Hal & Melinda Reiland and Preferred Secured Agents, Inc.**

In conclusion, I regret imposing on your busy reelection schedule, but this timely matter requires your intervention in the spirit of The Brown Act (Sunshine Laws). This hearing would not constitute fairness and create a chilling affect on public trust in their elected officials.

James & R. Jean Taylor
Shareholders, Round Hill Golf & Country Club
Members, Round Hill Property Owners Association

Enclosures

- ✓ Letter to Community Development Department dated February 11, 2004

Copies to: Dennis M. Barry, AICP, Community Development Director
Ruben Hernandez, Project Manager
Robert Drake, Principal Planner
Silvano Marchesi, County Counsel