



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FORT BRAGG · CALIFORNIA · 95437

BRENT SCHULTZ, DIRECTOR
PHONE: 707-234-6650
FAX: 707-463-5709
FB PHONE: 707-964-5379
FB FAX: 707-961-2427
pbs@mendocinocounty.org
www.mendocinocounty.org/pbs

MEMORANDUM

Date: July 1, 2019
To: Mendocino Historical Review Board
From: Julia Acker Krog, Chief Planner
Subject: MHRB_2016-0018 Clarifications

Since distribution of the staff report for the subject project, staff has received several inquiries from Review Board members and the public requesting clarification on the proposal. In response to these inquiries, staff has prepared this memorandum to provide clarifications and additional information for the public record. Staff has also prepared several potential additional conditions of approval as provided in this memorandum.

Clarification on Project Description:

Some confusion was expressed as to the project description contained in the staff report related to which structures were being demolished, reconstructed, and/or constructed on the property. To clarify, the existing water tower will be demolished and a new code-compliant tower will be reconstructed in the same location with a slightly larger footprint. The existing residence and garage on the parcel will be reconstructed using as much of the existing materials as possible. The applicant has provided the following statement to staff regarding whether the proposed improvements would exceed 50% repair and replacement of the various structures:

In response to your other email earlier today, below is the email from Cross Cut Construction. Brian is a contractor whom I've used many times. When I asked him to come verify that 50% or more of the building was salvageable, he wrote the attached letter. He makes a good point that the roofing system wasn't designed or built to last, and the 30 year useful life of the products has long since expired. Although the wiring is all still functional and in place, it is not up to code. Just because I can flip the breaker and use power doesn't mean it's safe like today's standard of construction. During the work, I'll bring these systems up to code. Therefor the real focus is on the structure of the walls themselves.

Based upon the project proposed, 75% of the buildings will be salvaged. The tower was improperly built, and the main supporting members are unsafe to remain in place. Instead the new tower is proposed, and I am making the argument that the new look is more "in period" than the current structure. Although currently the roof leaks in every room, and under these leaks is floor joists that have also deteriorated, the remaining timber is in good shape - especially in the walls. The boards that are no longer good will be replaced, and the overall structure will remain intact in the location it is built today.

The referenced letter is attached to this memorandum as Attachment A.

Mendocino City Community Services District (MCCSD) authorization:

Additional inquiries were received by staff from the Review Board and public pertaining to the MCCSD authorization for the project. The letter provided by the applicant for this project is attached to this memorandum as Attachment B. The letter stipulates authorization for a two (2) bedroom residence on the parcel and proposed deepening of the existing well.

Within Mendocino Town, allowable use of structures is determined by the Zoning Code. Any proposed residential use in accessory structures will require review and approval of the Planning Division as part of the building permit application process or Coastal Development Permit (or Exclusion) process. Authorization is required from MCCSD prior to approving any building permit or a Coastal Development Permit (or Exclusion).

Travel Trailer:

As shown on the site plan, no travel trailer is proposed at this time. MCC Section 20.704.015 (I) provides that:

Travel Trailer or Camper. Maintaining one (1) travel trailer or camper in dead storage, where it is not used for occupancy or business purposes, and only when authorized pursuant to Section 20.760.045. All stored travel trailers or campers in excess of one (1) shall be stored out of sight from a public right-of-way. The connection, for any continuous period exceeding forty-eight (48) hours, of any utility or service such as electrical, water, gas, or sewage to the travel trailer or camper shall be prima facie evidence that it is being used for habitation or business purposes.

Furthermore, MCC Section 20.760.045 provides that:

No mobile home, trailer, camper home, tents, teepees, utility trucks, inoperable cars, satellite dishes, solar collecting devices, metal wind devices and other mechanical equipment shall be constructed, installed, kept or stationed on a regular basis in an uncovered, visible area in any portion of the Historic Preservation District after the effective date of this Ordinance without the prior approval of the Review Board.

In order to alleviate concerns expressed by the Review Board and adjacent landowner staff recommends an additional condition of approval as follows:

21. Any travel trailer existing on the parcel shall be removed from the site within 30 days of the granting of this MHRB permit.

Hazardous Materials Report

Concern was expressed by an adjacent landowner regarding potential asbestos that may be located within the building. These concerns are addressed at the building permit phase of the project and are regulated by the Mendocino County Air Quality Management District; however, if the Review Board wishes to adopt an additional condition staff has prepared the following suggested language:

22. Prior to issuance of any building permit or demolition permit in reliance of this Permit, the applicant shall provide clearance from the Mendocino County Air Quality Management District for the proposed project specifically related to potential asbestos in the structures.

Attachments:

- Attachment A – Letter from Cross Cut Construction dated February 18, 2019
- Attachment B – MCCSD Letter dated October 16, 2013

Feb. 18, 2019

To whom it may concern,

I was asked by Mr. Maxwell to inspect the house at 45270 Albion St. Mendocino Ca. 95460. This inspection was to assess the percentage of salvageable building materials. I was not able to provide Mr. Maxwell a percentage based on several issues. The first issue is the lack of knowledge of conditions in inaccessible areas including inside walls and under flooring. The second issue is providing a percentage of salvageable materials when remodeling brings accessible and presently inaccessible conditions up to current codes. An example would be electrical wiring. When an electrician updates the wiring, he will more times than not rip out all the existing wire and start from new even though some of the wire is salvageable. I can't provide Mr. Maxwell a percentage based on something that may or may not happen. The third issue is the understanding that some building materials have a shorter lifespan than the lifespan of the house. These items need to be replaced at several intervals during the lifespan of the house. These items include roof coverings, windows, paint, floor coverings, cabinets, light fixtures, plumbing fixtures, etc. The argument here is that these items should or should not be included in a percentage of salvageable materials. This is not my determination to make. In ending, these are some of the reasons I was not able to provide Mr. Maxwell with a percentage of salvageable materials.

Best Regards,
Brian Swaney
Cross Cut Construction
General B Ca. Lic#908406

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

Post Office Box 1029

Mendocino, CA 95460

Business Phone (707) 937-5790 Treatment Plant (707) 937-5751 Fax (707) 937-3837

October 13, 2016

William Kinser
County of Mendocino
Department of Planning & Building
120 W. Fir Street
Fort Bragg, CA 95437

RE: Groundwater Extraction Permit – APN 119-217-06, 45270 Albion Street, Mendocino

Dear Mr. Kinser:

Administrative approval has been issued to PnP, LLC for a Groundwater Extraction Permit to deepen an existing well on the above-referenced assessor's parcel. A groundwater extraction allotment has been established for a two-bedroom residence on the parcel, and the applicants have met all of the District's requirements for the Groundwater Extraction Permit and sewer service.

Please contact our office if further information is needed.

Sincerely,


Jodi Mitchell
Secretary

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OCT 17 2016

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