

November 6, 2019

County of Mendocino Planning and Building Services

860 North Bush Street

Ukiah, CA 95482

**Mendocino County**

**NOV 13 2019**

**Planning & Building Services**

Re: U\_2018-0022

I am writing this letter to state my objections to Sayre Statham's application for a Cottage Use Permit. For the past three years Mr. Statham has been operating a business without required permits and licenses. This automotive repair business has created noise, dust and deterioration of the private road, and possible groundwater contamination from dozens of parked vehicles on the property. It presents a potential fire hazard and not least of all, greatly disturbs the residential or rural character of the premises or its surroundings.

As the adjoining property to this automotive repair garage, I hear compressors, air tools, and revving and idling of engines throughout the day and on weekends. The staff report authorizes the hours of operation from 8:00 a.m. to 8:00 p.m. which would very negatively impact the close neighbors.

This business has created a significant amount of traffic on the private unpaved road, traffic it was never designed to accommodate. There have been tow trucks and heavy delivery trucks as well as numerous other delivery vehicles and private cars. These create large amounts of dust and heavy wear and tear on the road, for which I and all the other members of the road association have to pay. The staff report allows up to three delivery vehicles per day, and up to three employees per day with their vehicles.

There are currently almost three dozen or more vehicles parked on the Statham property. At any point one or more of these vehicles may start leaking gasoline, motor, oil transmission fluid or antifreeze to contaminate our very shallow wells and water table. In addition, the presence of all of these combustible materials can increase the fire hazard on a property that is surrounded on two sides by the pygmy forest. Should a wildfire start, neighbors could be trapped because of our one-way-out, single-lane road. I am disturbed that this Use Permit has advanced so far without Cal Fire and Mendocino Fire submitting recommendations and or comments.

The original building permit was obtained fraudulently. Mr. Statham was granted a permit to demolish a nonexistent pole barn; he then obtained a Class K permit to

construct a workshop, which immediately became an automotive repair garage. (Google Earth views from 2010 to 2016 show no structure in place). This alone should invalidate his Use Permit application.

The application to have an “Automotive and Equipment-Repairs Heavy” business as a Cottage Industry is in itself questionable. General Section 20.452.020 (b). states that the Cottage Industry shall be “clearly incidental and subordinate to the residential use of a parcel containing a dwelling occupied as a principal residence of the owner or operator.” A full time automotive repair garage operating from 8:00 a.m. to 8:00 p.m. with up to three employees can not be rationally considered “incidental” to the residential use of the property. The number and nature of the mitigations identified in the “conditions of approval” in the staff report clearly indicate that business does not fit the description of a cottage industry. The county needs to provide, in writing, how these conditions of approval will be monitored and enforced.

Finally, full time operation of an automotive repair business has been, and will be, detrimental to the quality of life and property values of a rural residential neighborhood. The requirement is that a cottage industry must not “constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county.”

Thank you,

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