



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

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

May 15, 2020

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Mendocino County Zoning Administrator at its regular meeting on Thursday, June 11, 2020 at 10:00 a.m. will conduct a public hearing on the following project(s) at the time listed or as soon thereafter as the item may be heard. This meeting will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). In order to minimize the risk of exposure during this time of emergency, the public may participate digitally and by telecomment, in meetings by sending comments to pbscommissions@mendocinocounty.org and is available for viewing on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo>.

CASE#: V_2019-0006

DATE FILED: 11/22/2019

OWNER/APPLICANT: SCOTT & MELLINDA DEBISSCHOP

REQUEST: A variance to reduce the minimum property line setbacks from fifty (50) feet to twenty-five (25) feet to permit the after-the-fact construction of a single family residence (BU_2017-1449) originally submitted under the 2016 Mendocino County Building Amnesty Program.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 18 ± miles northeast of Willits City center, within the 'Sherwood Ranch Subdivision' at the terminus of an unnamed access easement, 0.2 ± miles west from its intersection with Upper Road (Private), located at 42001 Upper Rd., Willits (APN: 015-410-31).

SUPERVISORIAL DISTRICT: 3

STAFF PLANNER: DIRK LARSON

Your comments regarding the above project(s) are invited. Written comments should be submitted by mail to the Department of Planning and Building Services Commission Staff, at 860 North Bush Street, Ukiah, California or by e-mail to pbscommissions@mendocinocounty.org. The staff report and notice will be available for public review 10 days prior to the hearing on the Department of Planning and Building Services website at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

In order to minimize the risk of exposure during this time of emergency, the public may participate digitally in meetings by sending comments to pbscommissions@mendocinocounty.org by June 10, 2020, or orally via telecomment in lieu of personal attendance. All public comment will be made immediately available to the Zoning Administrator, staff, and the general public as they are received and processed by staff, and can be viewed as attachments to this meeting agenda at <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas/zoning-administrator>.

To submit public comments via telecomment, a request form must be received by 8:00 a.m. the morning of the meeting. The telecomment form may be found at: <https://www.mendocinocounty.org/government/planning-building-services/meeting-agendas>.

The Zoning Administrator's action regarding this item shall be final unless appealed to the Board of Supervisors. The last day to file an appeal of the Zoning Administrator's decision is the 10th day after the hearing. To file an appeal, a written statement must be filed with the Clerk of the Board with a filing fee prior to the expiration of the above noted appeal period. If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this

notice, or in written correspondence delivered to the Department of Planning and Building Services at, or prior to, the public hearing. All persons are invited to appear and present testimony in this matter.

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE. Mendocino County complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternate formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Department of Planning and Building Services by calling (707) 234-6650 at least five days prior to the meeting.

Additional information regarding the above noted item(s) may be obtained by calling the Department of Planning and Building Services at 234-6650, Monday through Friday, 8:00 a.m. through 5:00 p.m. Should you desire notification of the Zoning Administrator's decision you may do so by requesting notification in writing and providing a self-addressed stamped envelope to the Department of Planning and Building Services.

BRENT SCHULTZ, Director of Planning and Building Services



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May 15, 2020

TO: The Willits News
FROM: James F. Feenan, Commissioner Services Supervisor
SUBJECT: Publication of Legal Notice.

Please publish the following notice one time on May 22, 2020 in the Legal Notices Section of the Willits News.

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BRENT SCHULTZ, Director of Planning and Building Services



**ZONING ADMINISTRATOR
STAFF REPORT- VARIANCE**

**JUNE 11, 2020
V_2019-0006**

SUMMARY

**OWNER/
APPLICANT:** SCOTT & MELLINDA DEBISSCHOP
PO BOX 1687
WILLITS, CA 95490

REQUEST: A variance to reduce the minimum property line setbacks from fifty (50) feet to twenty-five (25) feet to permit the after-the-fact construction of a single family residence (BU_2017-1449) originally submitted under the 2016 Mendocino County Building Amnesty Program.

LOCATION: 18 ± miles northeast of Willits City center, within the 'Sherwood Ranch Subdivision' at the terminus of an unnamed access easement, 0.2 ± miles west from its intersection with Upper Road (Private), located at 42001 Upper Rd., Willits (APN: 015-410-31).

TOTAL ACREAGE: 40.02± Acres

GENERAL PLAN: Rangeland (RL160)

ZONING: Division 1: Rangeland (RL 160)

SUPERVISORIAL DISTRICT: 3 (Haschak)

ENVIRONMENTAL DETERMINATION: Categorically Exempt: Class 5, 15305(a) – Minor variance not resulting in the creation of a new parcel.

RECOMMENDATION: APPROVE WITH CONDITIONS

STAFF PLANNER: DIRK LARSON

BACKGROUND

PROJECT DESCRIPTION: A variance to reduce the minimum setbacks from fifty (50) feet to twenty-five (25) feet to permit the after-the-fact construction of a single family residence (BU_2017-1449) originally submitted under the 2016 Mendocino County Building Amnesty Program. The structure is to remain as built, but installation of an on-site sanitation system is required.

APPLICANT'S STATEMENT: *"The special circumstance that my north facing 40 acre parcel presents is that it is located on predominantly meadow-land that consists of slopes measuring from 30-40 degrees.*

This topography has left very few options for building sites that could be safely developed. The issues we would have faced in placing our homesite in meadows would have included the need for heavy equipment, road building, culvert placement, and construction of a building pad. All of these things would have caused (as we learned from our neighbor) soil slippage and erosion due to heavy winter rains and seasonal run-off. The heavy equipment alone would have created difficulty and possible damage to our access roads.

Before we chose our homesite we witnessed a very instructive incident. Our neighbor constructed a pond on a medium slope in his meadow. This was done in the Fall. When the rains came, this project began to

slip. This caused the top soil, which was about 18 inches deep to slip in concentric arcs for approximately 100 yards up the hill. The first arc was 200± feet long which created a ditch two feet wide and 18 inches deep. This continued as the land slipped down the hill and the arcs moved up the hill and stopped just short of the deeded road easement.

We found this reaction to the disturbance of the soil very alarming. This incident illustrated to us that we should not build in the meadow due to possible and probable slippage. We chose our house site on the northern edge of the property because there is a slight rise up on to a flat place with some Oak and Conifer. The soil is rocky, stable and offers good drainage from seasonal rains.....This variance is necessary for the preservation and enjoyment of our property. All parcels in this subdivision are zoned to have single family dwellings. The granting of this variance will not be materially detrimental to the public welfare or injurious to the property or my neighbors.”

RELATED APPLICATIONS: BU_2017-1449 (Amnesty Class K for existing Single Family Dwelling)

SITE CHARACTERISTICS: The 40.02± acre parcel is located 18± miles northeast of Willits city center, within the ‘Sherwood Ranch Subdivision’ at the terminus of an unnamed access easement, 0.2± miles west from its intersection with Upper Road (Private), addressed at 42001 Upper Rd, Willits (APN: 015-410-31). The terrain in the immediate area of the subject property is moderate to steeply sloping meadowland with swales in the northerly portion of the property. The meadowland transitions to dense timberland at the western and northern edges of the subject property with a pond in the intermediary portion of the parcel. The existing residential homesite sits on a knoll located at the northern edge of the subject property near the timberland transition area.

There is an existing 1,600 square foot residence with an attached 400 square foot garage/shop. Presently, it is seeking certification under the County’s Amnesty Program (BU_2017-1449), as it was originally constructed without the benefit of permit. The subject property is located ‘off-grid’, with a developed spring for potable water. The owners are currently in the process of permitting a septic system with the Department of Environmental Health. The majority of the site is located within a “Moderate Fire Hazard” area and is within the State Responsibility Area subject to the jurisdiction of CalFire. A portion of the site is considered a ‘High Fire Hazard’. A number of fire mitigation and prevention strategies are noted for the subject property, including defensible space and on-site water storage.

The area of proposed development is designated as ‘Grazing Land’ as is the remainder of the subject property.¹ The subject property is not in a Williamson Act Contract, nor will the request conflict with any existing land used for agriculture or timber-harvest. While adjacent, the proposed project is not located in an area designated as forest land, timberland, or timber production zone. Therefore, the proposed subdivision will not conflict with any existing forest land, timberland, or timberland production zones.

SURROUNDING LAND USE AND ZONING: As listed in Table 1, the subject property is enveloped from north, west and south by Timber Production Zone. The property to the east is similarly situated in terms of zoning (RangeLand) and land use.

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	Forestland (FL160)	Timber Production Zone (TPZ:160)	303 A±	Timber Production Zone(Vacant)
EAST	Rangeland (RL160)	Rangeland (RL:160)	40 A±	Residential
SOUTH	Forestland (FL160)	Timber Production Zone (TPZ:160)	303 A±	Timber Production Zone(Vacant)
WEST	Forestland (FL160)	Timber Production Zone (TPZ:160)	303 A±	Timber Production Zone(Vacant)

¹ Mendocino County Department of Planning & Building Services. 2019. *Important Farmland* [map].

PUBLIC SERVICES:

Access: UPPER ROAD (PRIVATE)
 Fire District: CALFIRE (STATE RESPONSIBILITY AREA)
 Water District: NONE
 Sewer District: NONE

AGENCY COMMENTS: On January 31, 2020 project referrals were sent to the following responsible or trustee agencies with jurisdiction over the Project. A summary of the submitted agency comments are listed below:

REFERRAL AGENCIES	COMMENT
Environmental Health (Ukiah)	No Comment
Building Services (Ukiah)	No Comment
County Addresser	No Comment
Department of Transportation (DOT)	No Comment
Forestry Advisor	No Response
Planning Division (Ukiah)	No Comment
CALFIRE (Land Use)	No Comment
Regional Water Quality Control Board	No Response
Calif. Dept. of Fish & Wildlife	No Response
Assessor's Office	No Response
Cloverdale Rancheria	No Response
Redwood Valley Rancheria	No Response
Sherwood Valley Band of Pomo Indians	No Response

ENVIRONMENTAL REVIEW: The proposed project has been determined to be categorically exempt from CEQA per Class 5, Section 15305(a), which is intended for variances that do not result in the creation of any new parcels. The granting of this variance would not result in any changes in land use or density, as the property was previously developed with a residential structure, and the applicant requested this variance only after it was determined that one would be required to process the building permit request that was submitted under the County's Amnesty program.

KEY ISSUE HAZARDS: The California Department of Forestry and Fire Protection (CALFIRE) designates areas of the County into fire severity zones. These maps are used to develop recommendations for local land use agencies and for general planning purposes. The majority of the site is located within a "Moderate Fire Hazard" area and is within the State Responsibility Area subject to the jurisdiction of CalFire. A portion of the site is considered a 'High Fire Hazard'. A number of fire mitigation and prevention strategies are noted for the subject property, including defensible space and on-site water storage. Completed and approved CalFire Fire Safety Regulations Application packages were received with the building permit for the single-family residence, and the applicant provided a letter from CALFIRE confirming that the project is granted an exception to standards that parcels larger than one (1) acre provide a minimum 30 foot setback from all property line and/or the center of the road. In the letter from CALFIRE, dated March 7, 2019, it is indicated that CALFIRE will not require any mitigations to grant this exception.

PROJECT FINDINGS: Per MCC Section 20.200.020, before any variance may be granted or modified it shall be shown that the following findings can be made:

- A) *That there are special circumstances applicable to the property involved, including size, shape, topography, location, or surrounding:*

The topography of the subject parcel is moderate to mostly steep, limiting the ability to improve a large portion of the property. In addition to the mostly steep terrain, and as evidenced by adjacent properties, there are apparent issues with drainage and adequate soils to support development on many of the slopes located in the vicinity of the subject property. As indicated by the applicant, neighboring property owners attempted to institute homesites, road cuts, and grading for ponds and experienced slippage resulting from the attempted development. During the rainy season, the area is saturated with runoff making the mostly steep slopes very unstable. The most suitable location for residential development on the subject property is at the bottom of the parcel or the northerly edge of the property as it transitions from meadowlands to timberland. The existing homesite is located on a rocky bench at this transitional area from meadow to timberland. This would appear the most appropriate placement for a homesite as the majority of the property steeply slopes downward to a depression that contains unstable, porous soils. Given the character of the subject property and steep terrain, the current location of the residence is the most suitable. Although Rangeland zoning requires a fifty (50) foot setback from property lines, due to size of the parcel, topography, and unstable soils, the current distance from the property line of twenty-five (25) is the appropriate location for development. **Finding (A) can be made.**

B) That such special circumstances or conditions are not due to any actions of the applicant subsequent to the application for the zoning regulations contained in the Division.

The variance is being requested, in part, due to the County's Amnesty program for improvements constructed without the benefit of permit. While the construction of this residence was an action of the applicant, a review of site constraints explains the selection process. Topographical challenges and unstable soils limited the potential for identification of suitable residential sites on the property that could otherwise be developed. **Finding (B) can be made.**

C) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question.

The use of this property for a Single Family Residence is considered a substantial property right that is possessed and enjoyed by properties throughout the 'Sherwood Ranch Subdivision'. While adjacent properties to the north, west and south are zoned for Timber-Production and unlikely to facilitate housing development now or in the future, similar properties and improvements appear on the adjacent properties to the east. It is clear that a variance is necessary to preserve this existing substantial improvement. **Finding (C) can be made.**

D) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such a vicinity and zone in which the property is located.

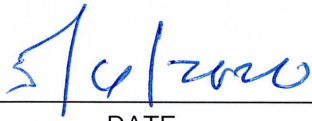
There is no impact to public welfare, as the existing development is located at the terminus of an unnamed access easement (Private). In land use, a setback is the minimum distance which a building or other structure must be set back from a street or road, a river or other stream, a shore or flood plain, or any other place which is deemed to need protection. The setback in this instance is from the improvement to the property line, and is undertaken to preserve privacy and prevent potential nuisances. A reduction of the setback is requested to facilitate a building permit submitted under amnesty. The applicant is adhering to the conditions associated with CALFIRE and received an exception to the standards identified in 14 CCR 1276.01 (Setback for Structure Defensible Space). Furthermore, the nearest neighboring residence is located approximately 700 feet away and there exists no interference with their privacy or welfare. The neighboring property owner, Lyme Redwood, most impacted by the current location of the residential site has granted an exception to the property owner and finds no detrimental effects to their property holdings or operations. **Finding (D) can be made.**

E) That the granting of such variance will not adversely affect the General Plan.

The granting of such variance is found to be consistent with General Plan Policy DE-17- General Uses, which allows for residential uses and is compatible with the Rangeland Zoning District (RL 160). The existing residence and site area are a principally permitted uses with this zoning designation. The current location of the residential site has minimal impact on the natural or built environment. Its location minimizes erosion and other detrimental effects on the subject property, and helps preserve the natural topography and form by avoiding unnecessary grading to enjoy this substantial property right. **Finding (E) can be made.**

RECOMMENDATION

By resolution, adopt a Categorical Exemption and grant V_2019-0006 for the Project, as proposed by the applicant, based on the facts and findings and subject to the conditions of approval.



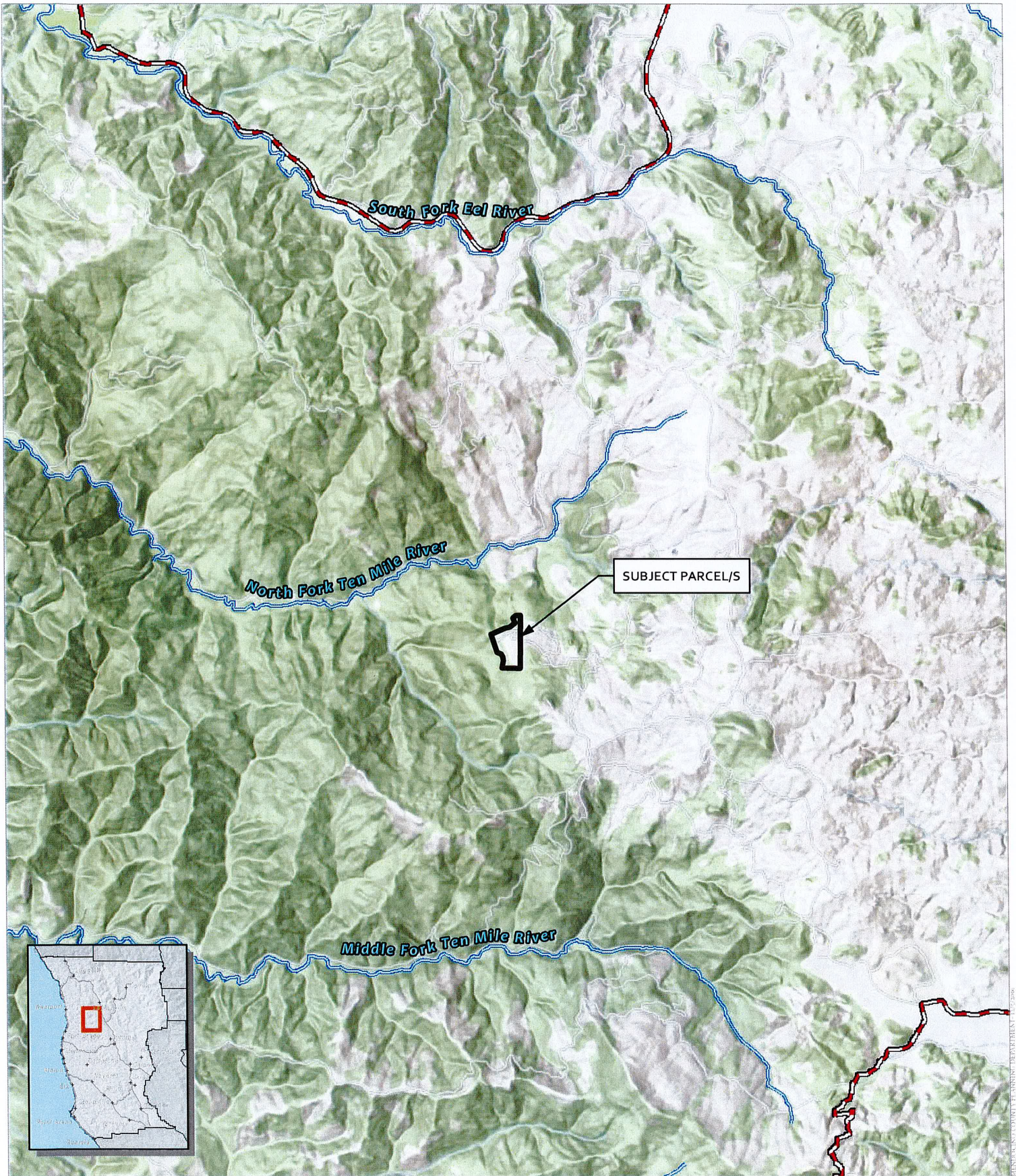
DATE


DIRK LARSON
PLANNER II

Appeal Period: 10 Days
Appeal Fee: \$1616.00

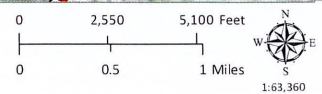
ATTACHMENTS:

- A. Location Map
- B. Aerial Map
- C. Topographic Map
- D. Site Plan
- E. Zoning Map
- F. General Plan Map
- G. Adjacent Map
- H. CALFIRE Exception Letter



CASE: V 2019-0006
 OWNER: DeBISSCHOP, Scott & Melinda
 APN: 015-410-31
 APLCT: Scott DeBisschop
 AGENT:
 ADDRESS: 42001 Upper Road, Willits

 Major Rivers
 Major Roads

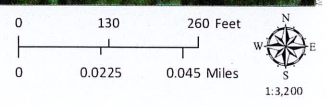


LOCATION MAP
 ATTACHMENT A

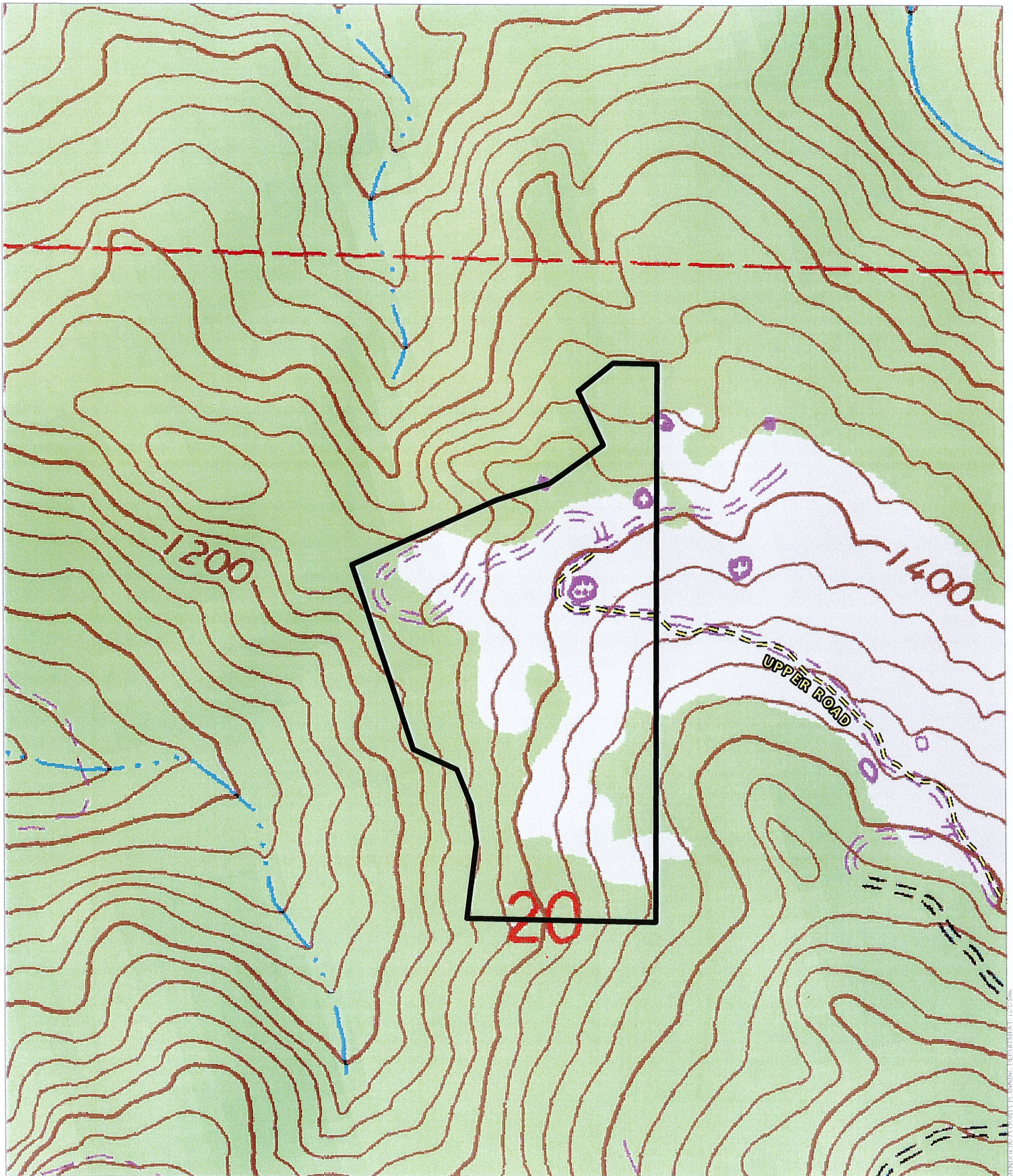


CASE: V 2019-0006
OWNER: DeBISSCHOP, Scott & Melinda
APN: 015-410-31
APLCT: Scott DeBisschop
AGENT:
ADDRESS: 42001 Upper Road, Willits

== Private Roads

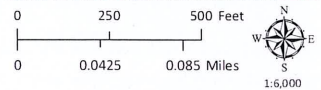


AERIAL IMAGERY
ATTACHMENT B



CASE: V 2019-0006
 OWNER: DeBISSCHOP, Scott & Melinda
 APN: 015-410-31
 APLCT: Scott DeBisschop
 AGENT:
 ADDRESS: 42001 Upper Road, Willits

=== Private Roads



TOPOGRAPHIC MAP
 CONTOUR INTERVAL IS 40 FEET
 ATTACHMENT C

BU-2017-1449

WESTERN TITLE INSURANCE COMPANY
MENDOCINO COUNTY OFFICE

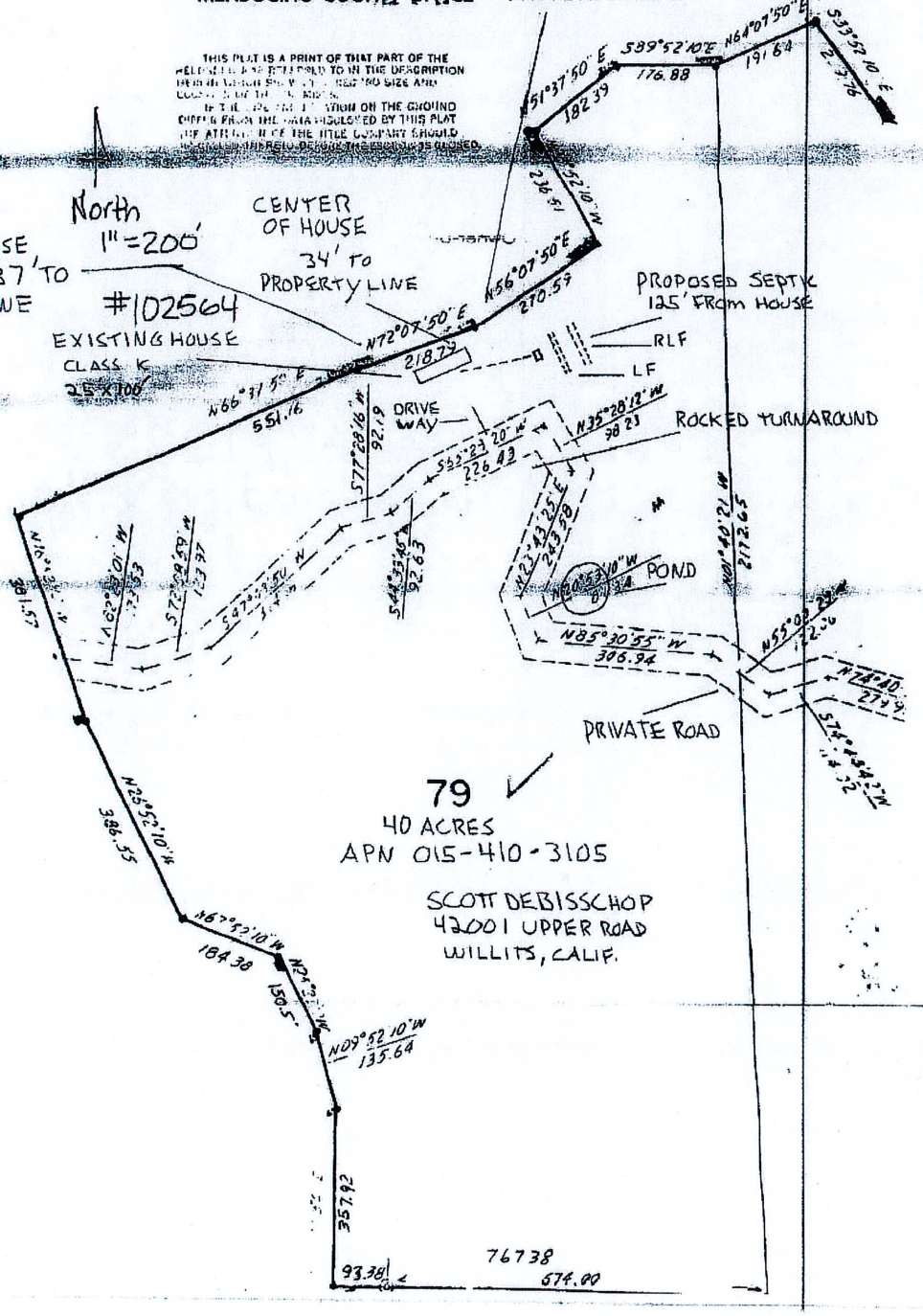
EAST HOUSE
CORNER 25' TO
PROPERTY LINE

THIS PLAN IS A PRINT OF THAT PART OF THE
RECORDS AND DEEDS FILED TO IN THE DESCRIPTION
OF THE LAND SHOWN HEREON. THE SIZE AND
LOCATION OF THE LAND SHOWN HEREON
IF THE PLANTING IS WITHIN ON THE GROUND
DIFFERS FROM THE DATA INDICATED BY THIS PLAN
THE ATTENTION OF THE TITLE COMPANY SHOULD
BE DRAWN THEREON BEFORE THE RECORD IS CLOSED.

North
1"=200'
WEST HOUSE
CORNER 37' TO
PROPERTY LINE
EXISTING HOUSE
CLASS K
25' X 100'

CENTER
OF HOUSE
34' TO
PROPERTY LINE

PROPOSED SEPTIC
125' FROM HOUSE



79
40 ACRES
APN 015-410-3105

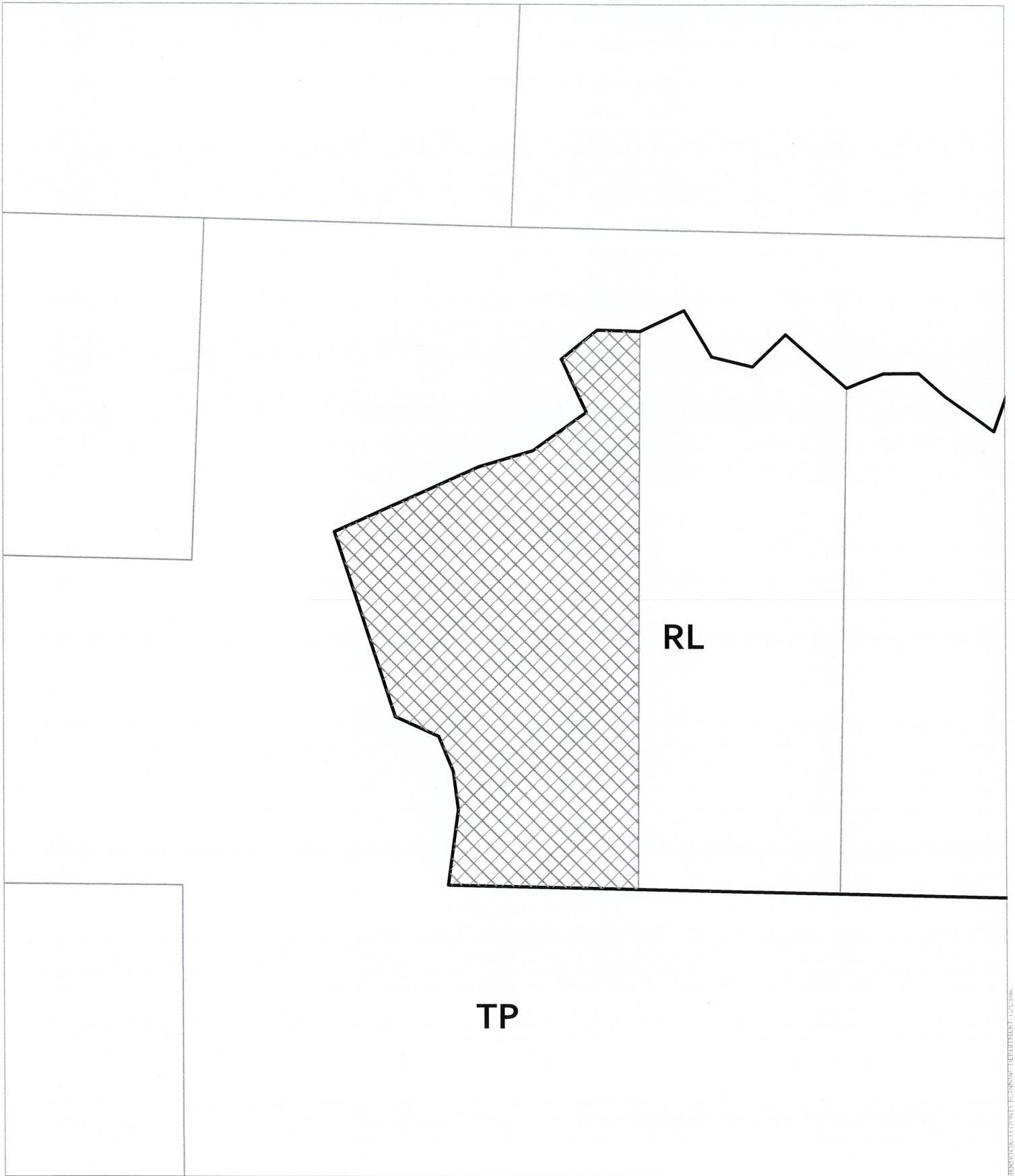
SCOTT DEBISSCHOP
42001 UPPER ROAD
WILLITS, CALIF.

CASE: V 2019-0006
OWNER: DeBISSCHOP, Scott & Melinda
APN: 015-410-31
APLCT: Scott DeBisschop
AGENT:
ADDRESS: 42001 Upper Road, Willits



NO SCALE

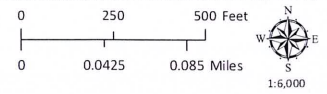
SITE PLAN
ATTACHMENT D

MENDOCINO COUNTY PLANNING DEPARTMENT 11/15/2019

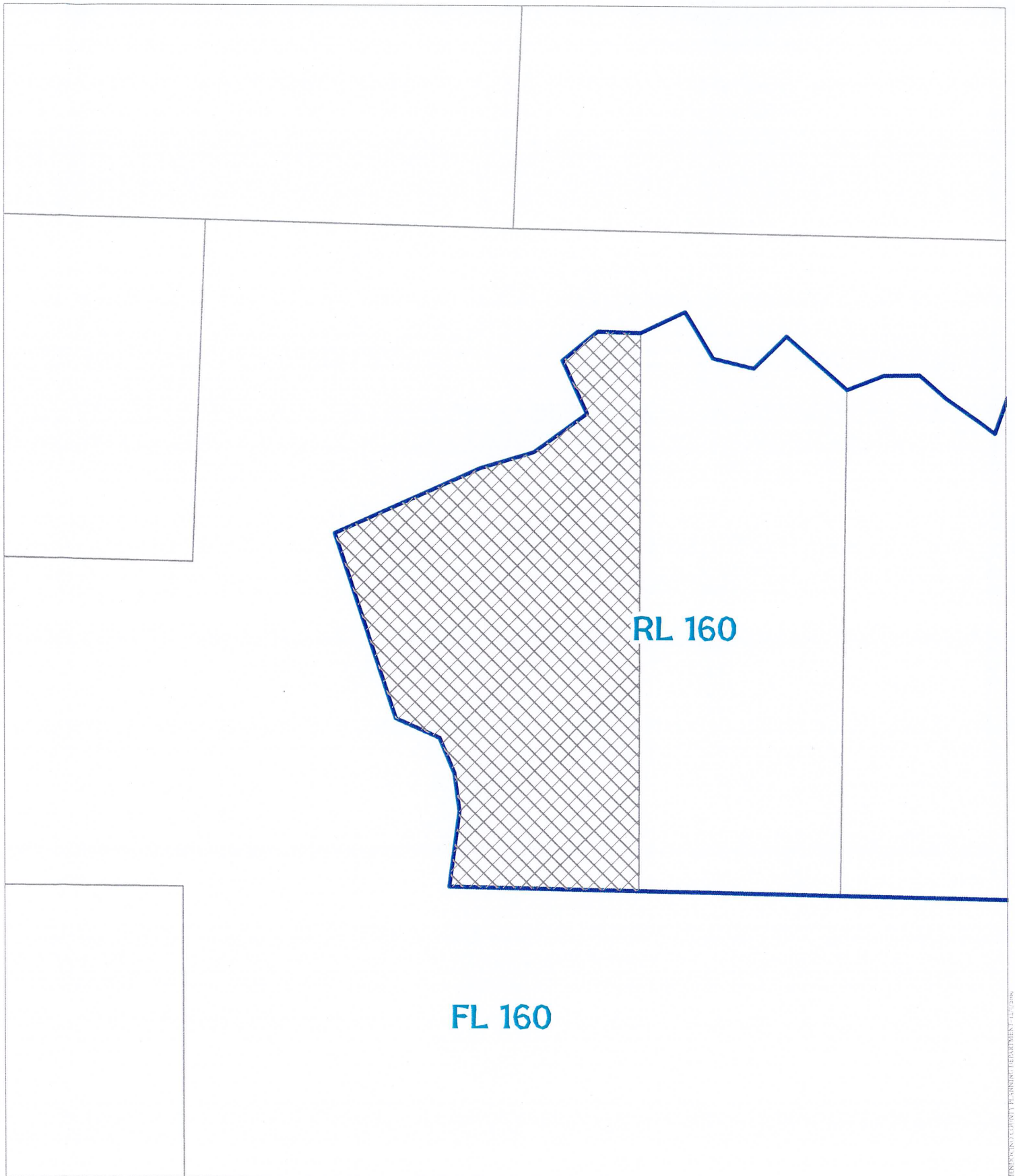


CASE: V 2019-0006
OWNER: DeBISSCHOP, Scott & Melinda
APN: 015-410-31
APLCT: Scott DeBisschop
AGENT:
ADDRESS: 42001 Upper Road, Willits



-  Zoning Districts
-  Assessors Parcels

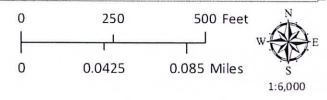


HERSHEY COUNTY PLANNING DEPARTMENT 1/20/2016



CASE: V 2019-0006
 OWNER: DeBISSCHOP, Scott & Melinda
 APN: 015-410-31
 APLCT: Scott DeBisschop
 AGENT:
 ADDRESS: 42001 Upper Road, Willits

-  General Plan Classes
-  Assessor's Parcels

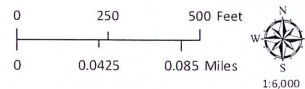


HENDERSON COUNTY PLANNING DEPARTMENT 11/15/2019



CASE: V 2019-0006
 OWNER: DeBISSCHOP, Scott & Melinda
 APN: 015-410-31
 APLCT: Scott DeBisschop
 AGENT:
 ADDRESS: 42001 Upper Road, Willits

 Assessors Parcels



ADJACENT PARCELS
 ATTACHMENT G

RENDERING BY COUNTY PLANNING DEPARTMENT TEL: 725-2606



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

17501 N. HWY 101
WILLITS, CA 95490
(707) 459-7414
Website: www.fire.ca.gov



03/07/2019

Scott DeBisschop
PO Box 1687
Willits, Ca 95490

RE: 42001 Upper Rd.
CALFIRE#: 469-17

I have reviewed your request for an exception to your project referenced above. The Department of Forestry and Fire Protection has granted your request for an exception to:

14 CCR 1276.01 Setback for Structure Defensible Space

- (a) All parcels 1 acre and larger shall provide a minimum 30-foot setback for buildings and accessory buildings from all property lines and/or the center of the road.

Due to the extenuating circumstances, parcel size, and facts as to why the structure needs to be built closer than 30 feet from the property line, but will maintain this offices policy of setbacks no less than 25 feet, CAL FIRE will NOT be requiring any mitigations for the exception.

14CCR 1270.07 Exceptions to Standards

Upon request by the applicant, exceptions to standards within this subchapter or local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR 1270.05, where the exceptions provide the same overall practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity shall be made on a case-by-case basis only.

If you have any questions, please contact (707) 459-7424.

Sincerely,

Anthony Massucco
Fire Captain/Pre-Fire Engineer

Resolution Number _____

County of Mendocino
Ukiah, California
June 11, 2020

V_2019-0006 SCOTT & MELLINDA DEBISSCHOP

RESOLUTION OF THE ZONING ADMINISTRATOR, COUNTY OF
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CATEGORICAL
EXEMPTION AND GRANTING A VARIANCE TO ALLOW A SETBACK
REDUCTION FOR A SINGLE FAMILY DWELLING

WHEREAS, the applicant, SCOTT AND MELLINDA DEBISSCHOP filed an application for variance with the Mendocino County Department of Planning and Building Services to reduce the minimum setbacks from fifty (50) feet to twenty-five (25) feet to facilitate the construction of a single family dwelling and appurtenant structures, 18 ± miles northeast of Willits City center, within the 'Sherwood Ranch Subdivision' at the terminus of an unnamed access easement, 0.2 ± miles west from its intersection with Upper Road (Private), located at 42001 Upper Rd., Willits (APN:015-410-31); 3rd Supervisorial District; (the "Project"); and

WHEREAS, in accordance with applicable provisions of law, the Zoning Administrator held a public hearing on, June 11, 2020, at which time the Zoning Administrator heard and received all relevant testimony and evidence presented orally or in writing regarding the Categorical Exemption and the Project. All interested persons were given an opportunity to hear and be heard regarding the Categorical Exemption and the Project; and

WHEREAS, the Zoning Administrator has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Zoning Administrator regarding the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Zoning Administrator makes the following findings;

1. *That there are special circumstances applicable to the property involved, including size, shape, topography, location, or surrounding; Finding can be made.*
2. *That such special circumstances or conditions are not due to any actions of the applicant subsequent to the application of the zoning regulations contained in the Division; Finding can be made.*
3. *That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question; Finding can be made.*
4. *That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such a vicinity and zone in which the property is located; Finding can be made.*
5. *That the granting of such variance will not adversely affect the General Plan; Finding can be made.*

BE IT FURTHER RESOLVED that the Zoning Administrator hereby adopts the Categorical Exemption as set forth in the Conditions of Approval. The Zoning Administrator certifies that the Categorical Exemption has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA

Guidelines, and finds that the Categorical Exemption reflects the independent judgment and analysis of the Zoning Administrator.

BE IT FURTHER RESOLVED that the Zoning Administrator hereby grants the requested Variance subject to the Conditions of Approval in Exhibit "A", attached herto.

BE IT FURTHER RESOLVED that the Zoning Administrator designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Zoning Administrator decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Zoning Administrator action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST: JAMES F. FEENAN
Commission Services Supervisor

By: _____

BY: BRENT SCHULTZ
Zoning Administrator

EXHIBIT A

CONDITIONS OF APPROVAL

V_2019-0006 SCOTT & MELLINDA DEBISSCHOP

JUNE 11, 2020

A variance to reduce the minimum side setback from fifty (50) feet to twenty-five (25) feet to permit the after-the-fact construction of a single family residence (BU_2017-1449) originally submitted under the 2016 Mendocino County Building Amnesty Program.

APPROVED PROJECT DESCRIPTION: A variance to reduce the minimum property line setbacks from fifty (50) feet to twenty-five (25) feet to permit the after-the-fact construction of a single family residence (BU_2017-1449) originally submitted under the 2016 Mendocino County Building Amnesty Program.

CONDITIONS OF APPROVAL:

1. The use of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code unless modified by conditions of the Variance.
2. The application along with supplemental exhibits and related material shall be considered elements of this entitlement and that compliance therewith be mandatory, unless a modification has been approved by the Zoning Administrator.
3. This permit shall be subject to revocation or modification by the Zoning Administrator upon a finding of any 1 or more of the following grounds:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Title 20 of the Mendocino County Code.

4. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
5. This permit is subject to the securing of all necessary permits for the proposed development and eventual use from County, State and Federal agencies having jurisdiction, including those required by the Department of Environmental Health Land Use – Division, as well as the Department of Planning & Building Services Division of Building Inspection. Any requirements imposed by an agency having jurisdiction shall be considered a condition of this permit.
6. The Applicant is advised that this variance will expire at the end of 2 years, on August 8th, 2020, unless construction of the Single Family Residence is commenced and diligently pursued in compliance with required building permits prior to that date.

7. The Applicant shall comply with those recommendations in the California Department of Forestry Exceptions to Standard Letter dated March 7th, 2019, as well as requirements identified in State Fire Regulations Application (#469-17).
8. To record the Notice of Exemption with the CA State Clearinghouse, the applicant shall pay a fee of \$50.00 for the filing of the Notice of Exemption which shall be made payable to the Mendocino County Clerk and submitted to the Department of Planning and Building Services within 5 days of the end of any project action.