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

February 17, 2021

Environmental Health - Ukiah Building Inspection - Ukiah Assessor Round Valley Water District Covelo Fire District Cloverdale Rancheria Redwood Valley Rancheria Sherwood Band of Pomo Indians

CASE#: V_2021-0001 DATE FILED: 1/15/2021

OWNER/APPLICANT: EVERIDGE WILLIAM CECIL III

AGENT: Scott Ward

REQUEST: A variance to reduce the minimum side setback from fifty feet to ten feet to allow a barn that was

constructed by a previous owner without a building permit to remain in place.

ENVIRONMENTAL DETERMINATION: Categorically Exempt

LOCATION: 1.65± miles northwest of the center of the Town of Covelo and 854 ± feet east of the intersection of Crawford Road (CR 337H) and Charlie Hurt Road (CR 337D), located at 23401 Charlie Hurt Road, Covelo (APN:

032-470-56).

SUPERVISORIAL DISTRICT: 3

STAFF PLANNER: KEITH GRONENDYKE **RESPONSE DUE DATE:** March 3, 2021

PROJECT INFORMATION CAN BE FOUND AT:

https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application an	d recommend the following (please chec	k one):
☐ No comment at this time.		
☐ Recommend conditional approval (attach	ned).	
Applicant to submit additional information Planning and Building Services in any co		
Recommend denial (Attach reasons for r	recommending denial).	
☐ Recommend preparation of an Environm	ental Impact Report (attach reasons why	an EIR should be required).
Other comments (attach as necessary).		
REVIEWED BY:		
Signature E	Department	Date

CASE: V_2021-0001

OWNER/: **APPLICANT** WILLIAM EVERIDGE

AGENT:

SCOTT WARD

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Covelo (APN: 032-470-56).

APN/S:

032-470-56

PARCEL SIZE: 5 ± ACRES

GENERAL PLAN: Rural Residential, minimum parcel size ten acres, (RR 10)

ZONING: Rural Residential, minimum parcel size ten acres, (RR:10)

EXISTING USES: Residential/Agricultural (cannabis cultivation)

DISTRICT: 3rd Supervisorial District

RELATED CASES: Various building permits for hoop houses

	ADJACENT GENERAL PLAN	ADJACENT ZONING	ADJACENT LOT SIZES	ADJACENT USES
NORTH:	Agricultural (AG 40)	Agricultural (AG:40)	70± acres	Residential
SOUTH:	Rural Residential (RR10)	Rural Residential (RR:10)	30± acres	Residential/Agricultural
EAST:	Agricultural (AG 40)	Agricultural (AG: 40)	15± acres	Residential/Agricultural
WEST:	Rural Residential (RR 10)	Rural Residential (RR:10)	10± acres	Vacant

REFERRAL AGENCIES

LOCAL

- Assessor's Office
- □ Building Division (Ukiah)
- Environmental Health (Ukiah)
- □ Round Valley County Water
- District

- Redwood Valley Rancheria
- Sherwood Valley Band of Pomo
- Indians

ADDITIONAL INFORMATION:

STAFF PLANNER: KEITH GRONENDYKE **DATE:** 1/20/2021

ENVIRONMENTAL DATA

- 1. MAC: N/A
- 2. FIRE HAZARD SEVERITY ZONE: N/A
- 3. FIRE RESPONSIBILITY AREA: COVELO FIRE
- 4. FARMLAND CLASSIFICATION: GRAZING (G)
- 5. FLOOD ZONE CLASSIFICATION: AREA OF

MINIMAL FLOOD HAZARD (ZONE D)

6. COASTAL GROUNDWATER RESOURCE AREA:

N/A

7. SOIL CLASSIFICATION: *NON-PRIME; EASTERN SOILS (190 and 218)*

•

8. PYGMY VEGETATION OR PYGMY CAPABLE

SOIL: NO

- 9. WILLIAMSON ACT CONTRACT: NO
- **10. TIMBER PRODUCTION ZONE: NO**
- 11. WETLANDS CLASSIFICATION: NO

- 12. EARTHQUAKE FAULT ZONE: NO
- 13. AIRPORT LAND USE PLANNING AREA: NO
- 14. SUPERFUND/BROWNFIELD/HAZMAT SITE: NO
- 15. NATURAL DIVERSITY DATABASE: YES
- 16. STATE FOREST/PARK/RECREATION AREA ADJACENT: NO
- 17. LANDSLIDE HAZARD: NO
- 18. WATER EFFICIENT LANDSCAPE REQUIRED: NO
- 19. WILD AND SCENIC RIVER: NO
- 20. SPECIFIC PLAN/SPECIAL PLAN AREA: NO
- 21. STATE CLEARINGHOUSE REQUIRED: NO
- 22. OAK WOODLAND AREA:
- 23. HARBOR DISTRICT: NO

Mendocino County

JAN 14 2021



Planning and Building Services

Case No: 1 2021 -0001
CalFire No:
Date Filed: 1-13-24
Fee: 2,170.03
Receipt No: PRJ 039196
Received By:
Office use only

APPLICATION FORM

APPLICANT Name: WILLIAM EVER	RIDGE	Phone: 707-813-4534
Mailing 23401 CHARIL Address:	IE HURT HIGHWAY	
City: COVELO	State/Zip: CA 95482	_{email:} willeveridge@gmial.com
PROPERTY OWNER WILLIA	M EVERIDGE	Phone: 707-813-4534
Mailing Address: 23401 CHARLIE	HURT HIGHWAY	
City: COVELO	State/Zip: CA 95428	email: willeveridge@gmial.com
AGENT Name:SCOTT WARD		Phone: 707-272-8432
Mailing Address: 8888 EAST ROA	D	
City: REDWOOD VALLEY	State/Zip: CA 95470	email: scott@scottwardcompany.com
Parcel Size: 5 + - acres	(Sq. feet/Acres) Address of Property	23401 CHARLIE HURT RD. COVELO, CA
Assessor Parcel Number(s):	032-470-56	
TYPE OF APPLICATION:		
☐ Administrative Permit ☐ Agricultural Preserve ☐ Airport Land Use ☐ CDP- Admin ☐ CDP- Standard ☐ Certificate of Compliance ☐ Development Review ☐ Exception	☐ Flood Hazard ☐ General Plan Amendment ☐ Land Division-Minor ☐ Land Division- Major ☐ Land Division-Parcel ☐ Land Division-Resubdivision ☐ Modification of Conditions ☐ Reversion to Acreage	☐ Use Permit-Minor☐ Use Permit-Major☐ Variance
certify that the information subn	nitted with this application is true a	MWell 1/13/21

SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

1.	Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.
	The purpose of this application is to request a side yard setback variance for a barn built
	without permits by the previous owner. The subject barn is well constructed. The attached
	Survey Exhibit shows that the barn was built 10.3 ft. and 20.8 ft. from the west property line.
	The existing residence is also 10 ft. from the west property line. The parcel is zoned RR 10
	and is 5 + - acres in size. The required side yard setback for this parcel is 50 ft. per
	Mendocino County Code sec. 20.048.040. There are two rows of trees and vegetation
	that bisect the property running east to west. Mill Creek crosses the rear (southern)
	of the property. The required leach field replacement area is in the front yard (north)
	portion of the parcel. The natural constraints of the trees, vegetation, creek and the leach
	field reduce the developable area of the property to approximately 6/10 of an acre on this
	5 acre parcel. (See attched Exhibits A and B) The existing barn is more than 500 ft.
	from the nearest residence. (See attached Exhibit E) As previously stated the barn is
	well built as evidenced by the photographs in Exhibits D1 and D2.
	It is our belief that based on the findings described in the attached supplemental document
	are such that this variance request can be approved.

	Number of Units		Square Footage		
2. Structures/Lot Coverage	Existing	Proposed	Existing	Proposed	Total
■ Single Family ☐ Mobile Home ☐ Duplex ☐ Multifamily ■ Other: BARN ☐ Other:	1 RESIDENCE 1 BARN 10 hoop houses 2 containers		3,456 sq. ft. 8,000 sq. ft. 640 sq. ft.	0	3,456 sq. ft. 8,000 sq. ft. 640 sq. ft.
Total Structures Paved Area Landscaped Area Unimproved Area	13				13,276 sq. ft.
ODAND TOTAL /Emiral to grace even		Annua	imately 6 %	of 5 perce	I

GRAND TOTAL (Equal to gross area of Parcel) 0.31 acres Approximately 6 % of 5 acres

3.	If the project is commercial, industrial or institutional,	complete the following:
	Cating and a supplementary of the	
	Estimated employees per shift: Estimated shifts per day:	
	Type of loading facilities proposed:	
4.	Will the proposed project be phased? ☐ Yes ■	No If yes, explain your plans for phasing:
		, and the second
5.	Will vegetation be removed on areas other than the b	uilding sites and roads? ☐Yes ■No Explain:
	The barn is existing. The applicant wish	es to maintain all trees and vegetation.
	.	•
6.	Will the project involve the use or disposal of potential	ally hazardous materials such as toxic substances, flammables,
.	or explosives?	
		
7.	How much off-street parking will be provided?	~ :
	Number of covered spaces Number 0	Size
	Number of uncovered spaces 2	10'X18'
	Number of standard spaces 2	10'X18'
	Number of handicapped spaces 0	**************************************
	m	
	Existing Number of Spaces 2 Proposed Additional Spaces 0	
	Total O	
		
8.		Yes ■No If yes, grading and drainage
	plans may be required. Also, describe the terrain to	pe traversed (e.g., steep, moderate slope, flat, etc.).
		THE COLUMN TWO PROPERTY OF THE
9.	For grading or road construction, complete the following	ua:
0.	To grading of road construction, complete the following	19.
	A. Amount of cut	cubic yards
	B. Amount of fill	cubic yards
	C. Maximum height of fill slope	feet
	D. Maximum height of cut slope	feet
	E. Amount of import or export	cubic yards
	F. Location of borrow or disposal site	

10.	Does the project involve sand removal, mining or gravel extraction? If yes, detailed extraction, reclamation and monitoring plans may be required?
11.	Will the proposed development convert land currently or previously used for agriculture to another use? ☐Yes ■No
	If yes, how many acres will be converted?acres. An agricultural economic feasibility study may be required.
12.	Will the development provide public or private recreational opportunities? ☐Yes ■No If yes, explain below:
13.	Is the proposed development visible from State Highway 1 or other scenic route? State Proposed development visible from a park, beach or other recreational area? State Proposed development visible from a park, beach or other recreational area? State Proposed development visible from a park, beach or other recreational area?
15.	Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?
	Diking : □Yes □No Placement of structures in: Filling: □Yes □No □open coastal waters Dredging: □Yes □No □wetlands □estuaries
	□lakes
	If so, amount of material to be dredged or filled?cubic yards.
	Location of dredged material disposal site?
	Has a U.S. Army Corps of Engineers permit been applied for? ☐Yes ☐No
16.	Will there be any exterior lighting? ☐Yes ■No If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.
17.	Utilities will be supplied to the site as follows: A. Electricity:
	B. Gas: ■Utility Company/Tank □ On Site Generation - Specify: □None
	C. Telephone: Telephone: No
18.	What will be the method of sewage disposal? Community sewage system - Specify supplier Septic Tank Other - Specify:
19.	What will be the domestic water source: ☐Community water system - Specify supplier ☐Well ☐Spring ☐Other - Specify:

20.		ited projects ⊡No		properties under your o e.g., Assessor's Parce		tc.):
	CANNABIS CULITVATIO	ON THIS	PARCEL 032-470-56			
21.	by other County depa	rtments, city	y, regional, state a			ncluding those required
	DEPARTMENT OF FOO	O AND AGRI	CULTURE, REGION	AL WATER BOARD, DEF	PARTMENT OF FISH AN	D WILDLIFE
22.	intersections, etc.):		_	identifiable landmarks at the west end of Ch		
		······································				
23.	subdivision.	, and identi	fy the use of each	■Yes □No structure on the plot p		
				nnabis cultivation.		
24.	Will any existing structif yes, describe the ty The purpose of this	oe of devel	opment to be dem	olished or removed, in-	cluding the relocation	
	that was built withou	ut permit	by the previous	owner. If the setba	ack variance is not	approved,
	the county will not	issue a pe	ermit and requir	e the barn to be de	molished.	
25.	Project Height. Maxim	num height	of existing structur	es <u>16</u> feet. Maximu	m height of proposed	structures 18 feet.
26.				eet (including covered ding covered parking a		ry buildings). Gross floor s).
27.	Lot area (within prope	rty lines): <u>5</u>	_ □square	e feet 🛛 🗵 acres.		
28.	uses, slopes, soil stabil the site that you feel	ity, plants a would be h	and animals, and a nelpful.	ne project, including inf ny cultural, historical o ting 1500 sq. ft reside	r scenic aspects. Atta	ach any photographs of
	county has issued	permits for	10 hoop houses	and the shipping cor	ntainers. Mill Creek	<u>is at th</u> e southern <u>e</u> nd
	of the property and t	<u>here are tv</u>	vo rows of trees	and vegetation that b	sect the property. E	xhibit B
29.		type of land helpful.	d use (use chart be	elow) and its general in	tensity. Attach any p	Itural, historic or scenic hotographs of the vicinity reloped and used
	for residential and	agricultura	al purposes. Th	e barn is over 500 f	t. from adjacent re	sidences. Exhibit E
30.	Indicate the surrou	nding land	uses: SEE EXHIBI	TS C, D1 and D2 ATTA	CHED	14
	<u>Vacant</u>		North	East	South	West
	Residential Agricultura Commercial Industrial Institutional Timberland Other		RES/AG	RES/AG	RES/AG	VACANT
	<u> </u>	-		· · · · · · · · · · · · · · · · · · ·		

CERTIFICATION AND SITE VIEW AUTHORIZATION-SUBMIT ONLY ONE COPY

- 1. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application, and all attached appendices and exhibits, is complete and correct. I understand that the failure to provide any requested information or any misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the County.
- 2. I hereby grant permission for County Planning and Building Services staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.

Sia	the	01/12/2021
	Owner/Authorized Agent	Date
NOTE: IF SIGNED BY	AGENT, OWNER MUST SIGN BELOW.	
AUTHORIZATION OF	<u>AGENT</u>	
I hereby authorize	SCOTT WARD, SCOTT WARD COMPANY	to act as my
representative and to, b	ind me in all matters concerning this application.	
OWW.	aul	1/13/21
	Owner	Date

MAIL DIRECTION

To facilitate proper handling of this application, please indicate the names and mailing addresses of individuals to whom you wish correspondence and/or staff reports mailed if different from those identified on Page 1 of the application form.

Name	Name	Name
WILLIAM EVERIDGE	SCOTT WARD SCOTT WARD COMPANY	
Mailing Address	Mailing Address	Mailing Address
23401 CHARLIE HURT HIGHWAY COVELO, CA 95428	8888 EAST ROAD REDWOOD VALLEY, CA 95470	

INDEMNIFICATION AND HOLD HARMLESS

ORDINANCE NO. 3780, adopted by the Board of Supervisors on June 4, 1991, requires applicants for discretionary land use approvals, to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County of Mendocino, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Mendocino County Code Section 1.04.120, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the County, its agents, officers, attorneys, employees, boards and commissions.

	ILIU/MUM	1/	17/21	
Applicant:	000	Date <u>:</u> //_	12/21	

STEVE DUNNICLIFF, DIRECTOR **County of Mendocino Department of Planning and Building Services**

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

PHONE: 707-234-6650 FAX: 707-463-5709 FB PHONE: 707-964-5379 FB FAX: 707-961-2427 pbs@co.mendocino.ca.us

www.co.mendocino.ca.us/planning

AGENT/APPLICANT AUTHORIZATION

1, WILLIAM EVERIDGE , authorize the following Agent/Applicant to represent the project. The Authorized Agent/Applicant has my permission to make decisions regarding the processing of this application. If at any time I wish to remove/replace this authorization, I understand that I shall notify the Planning and Building Department in writing as to my decision.
Site Address: 23401 CHARLIE HURT HIGHWAY COVELO, CA APN 032-470-56
Scope (description) of work: review files, obtain copies of records, submit permits
Authorized Agent/Applicant
Name (Please Print): SCOTT WARD
Mailing Address: 8888 EAST ROAD
City/State/Zip: REDWOOD VALLEY, CA 95470
Phone Number: 707-272-8432
E-Mail: scott@scottwardcompany.com
I declare under penalty of perjury that I am the property owner for the address listed above and I personally completed the above information and certify its accuracy. Owner Signature: Date: JAN. 4, 2021
Owner Signature: Date: JAN. 4, 2021
TO BE FILLED OUT BY PLANNING AND BUILDING STAFF
APPLICATION NUMBER: ACCEPTED BY:



January 8, 2021

Jesse Davis Senior Planner Planning and Building Services Mendocino County 860 N. Bush Street Ukiah. CA 95482

RE: Setback Variance Request findings

William Everidge

23401 Charlie Hurt Highway, Covelo, CA 95428

APN 032-470-46

Dear Mr. Davis,

The following are findings to support approval of the setback variance request for Mr. William Everidge.

There are special circumstances applicable to the property involved, including size, shape, topography and location or surroundings.

This parcel is 5 acres + - in size. There are two rows of trees and vegetation that bisect the parcel in an east west direction. Mill Creek runs across the rear of the parcel. The leach field replacement area is in the front portion of the parcel. The natural constraints of the two rows of mature oak trees and vegetation, the creek channel and the leach field replacement area reduce the developable area of this 5 acre parcel to 6/10 of an acre. The subject barn is 10.3 ft. and 20.8 ft. from the west property line. The existing residence is also 10 feet from the west property line. The subject barn is no closer to the property line than is the residence.

The special circumstances or conditions necessitating the variance are not due to any action on your part subsequent to the application of the applicable zoning regulations.

The subject barn was built without permits by the previous owner. The applicant is voluntarily coming forward to address a situation that he did not create.

The 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 you.

The adjacent parcels that are developed all have barns and other accessory buildings which are a substantial property right and permitted in the RR 10 zoning. The applicant wants to retain the existing barn and enjoy the benefits of covered storage as does his neighbors.

The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which your property is located.

Granting this variance will not be detrimental to the public welfare or injurious to the property or improvements in the vicinity or zone where the barn is located. The subject barn is located 1303 ft. from the residence and accessory buildings on the parcel to the north, 504 ft. from the barn and residence on the property to the east and 724 ft. from the barn and residence on the parcel to the south. The parcel to the west is vacant.



The variance does not authorize a use or activity that is not otherwise expressly authorized by the zoning provisions governing the parcel.

Barns and other accessory buildings are a permitted use in the RR 10 zoning district per Mendocino County Code §20.048.010 (D).

The granting of the variance will not adversely affect the General Plan.

Barns and other accessory buildings on RR 10 zoned parcels do not adversely affect the General Plan.

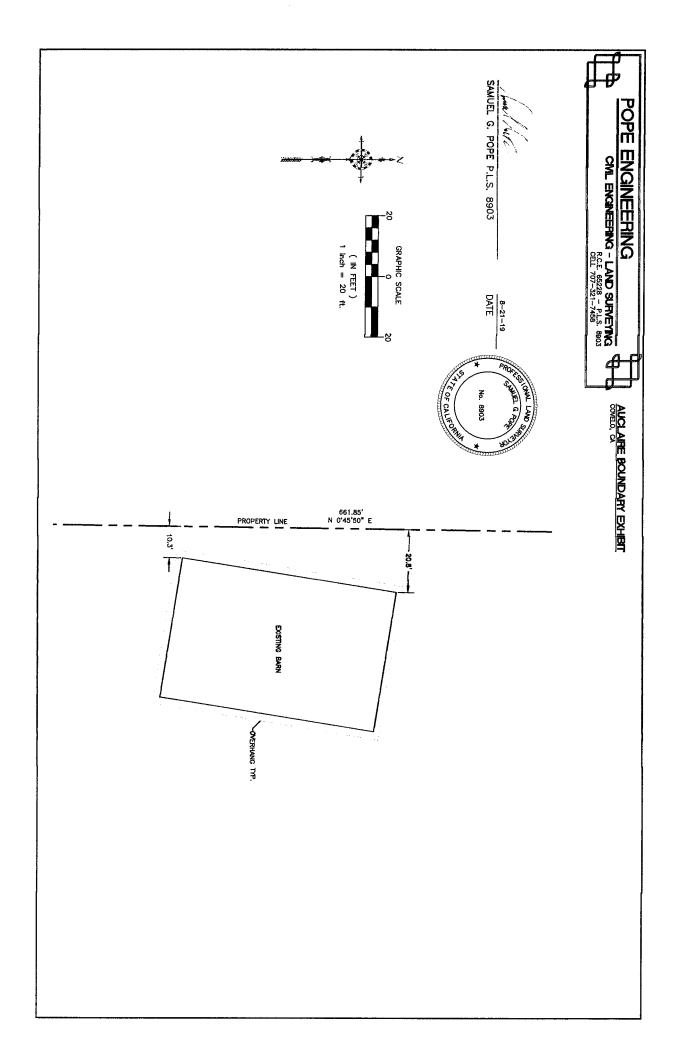
Thank you for taking the time to consider these findings as you review this setback variance request. If you have any questions or if you need additional information, do not hesitate to contact me.

Sincerely,

Scott Ward, CBO

C: File

Client



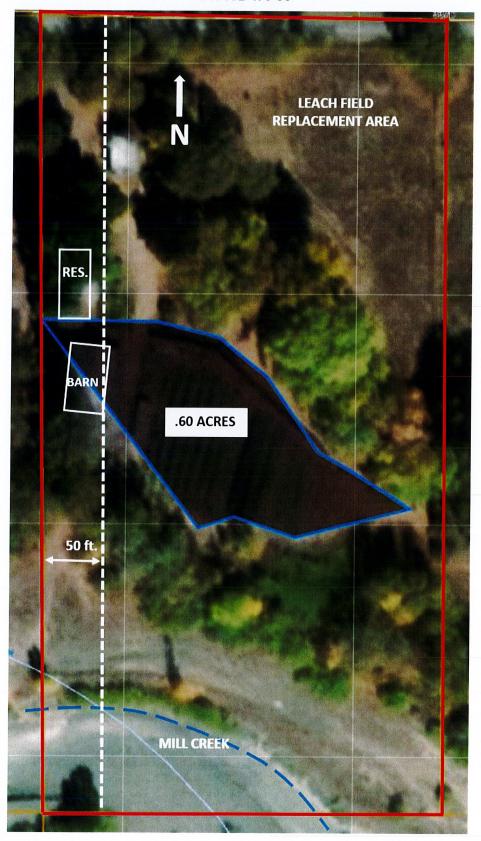
CHARLIE HURT HIGHWAY 330' REDIALENTALIS 10' ₋20′ 8 THROUGH 17 660′ 10' OAK TREES AND BRUSH 50' SETBACK MILL CREEK

SITE PLAN

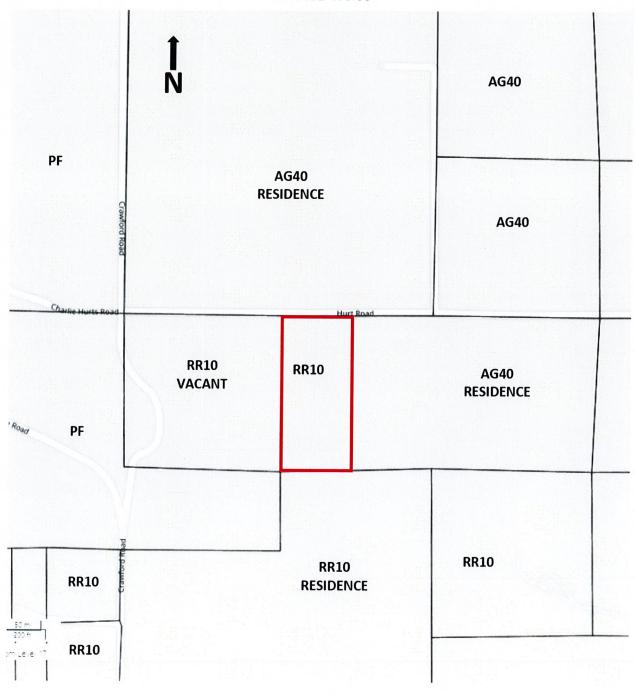
WILLIAM EVERIDGE VARIANCE REQUEST 23401 CHARLIE HURT HIGHWAY COVELO, CA 95428 APN 032-470-56

STRUCTURE LEGEND		
1	RESIDENTIAL STORAGE	
2	WELL	
3	SEPTIC SYSTEM	
4	EXISTING RESIDENCE	
5	SUBJECT BARN	
6	8'X40' CONTAINER	
7	8'X40' CONTAINER	
8 THRU 17	8'X100' HOOP HOUSES	

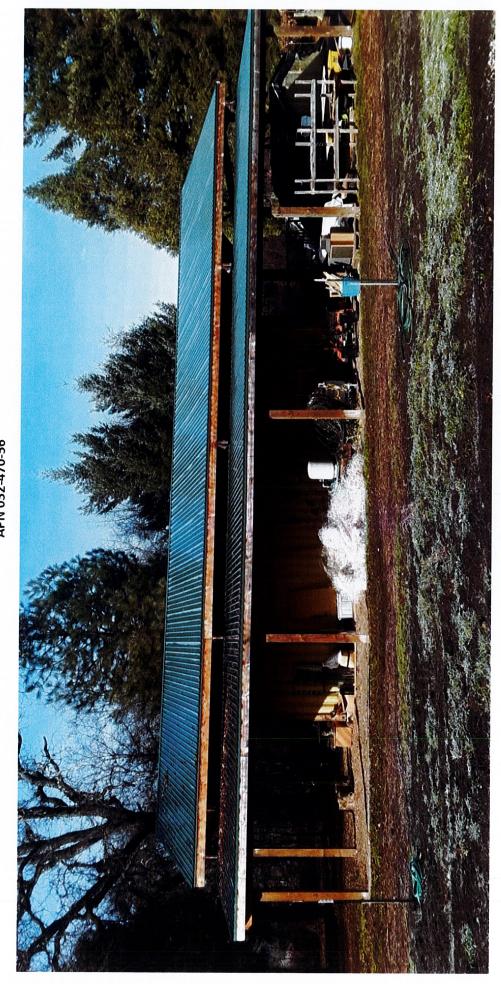
WILLIAM EVERIDGE VARIANCE REQUEST 23401 CHARLIE HURT HIGHWAY COVELO, CA 95428 APN 032-470-56



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WILLIAM EVERIDGE VARIANCE REQUEST 23401 CHARLIE HURT HIGHWAY COVELO, CA 95428 APN 032-470-56



EAST ELEVATION OF EXISTING BARN

WILLIAM EVERIDGE VARIANCE REQUEST 23401 CHARLIE HURT HIGHWAY COVELO, CA 95428 APN 032-470-56



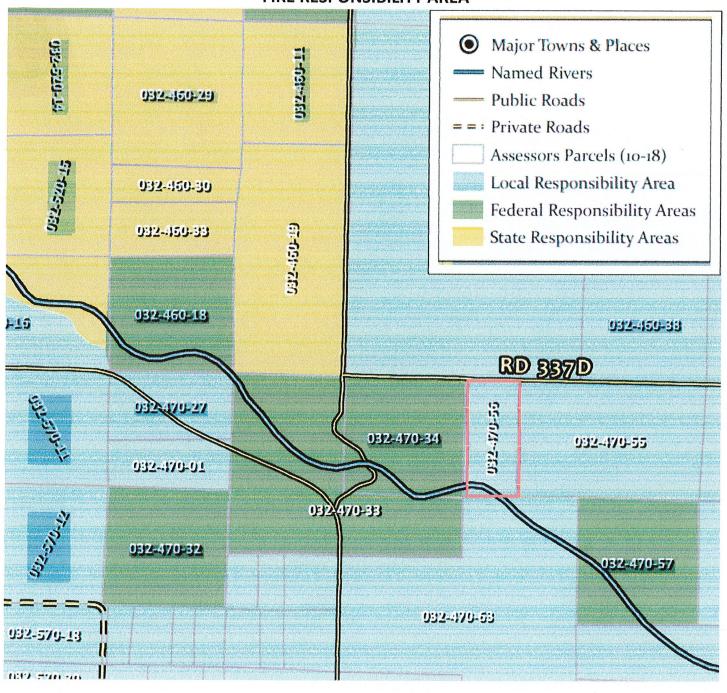
SOUTH ELEVATION OF EXISTING BARN

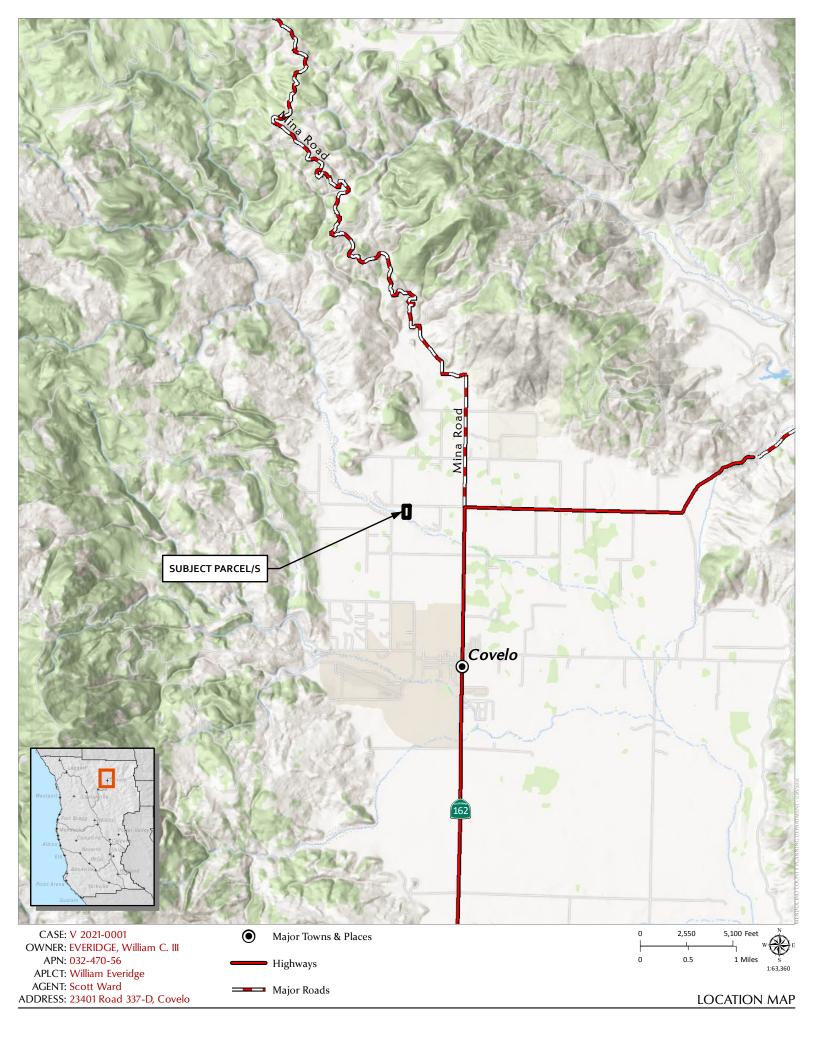
EXHIBIT E



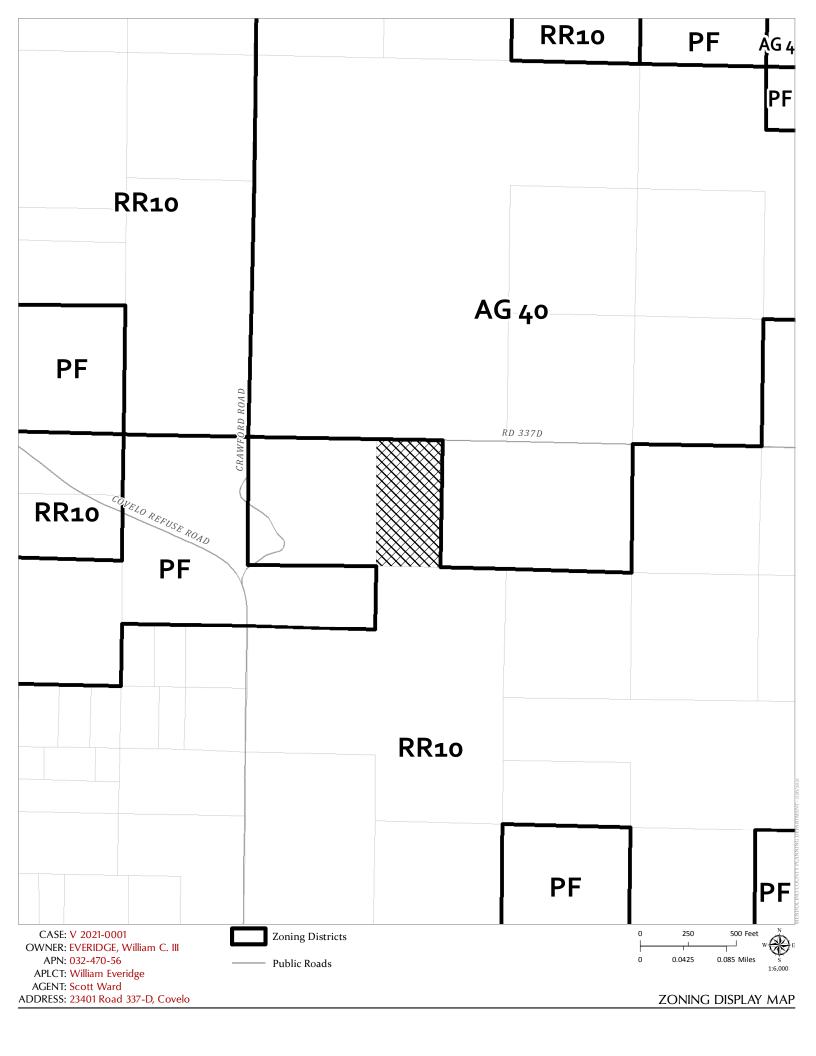
WILLIAM EVERIDGE VARIANCE REQUEST 23401 CHARLIE HURT HIGHWAY COVELO, CA 95428 APN 032-470-56

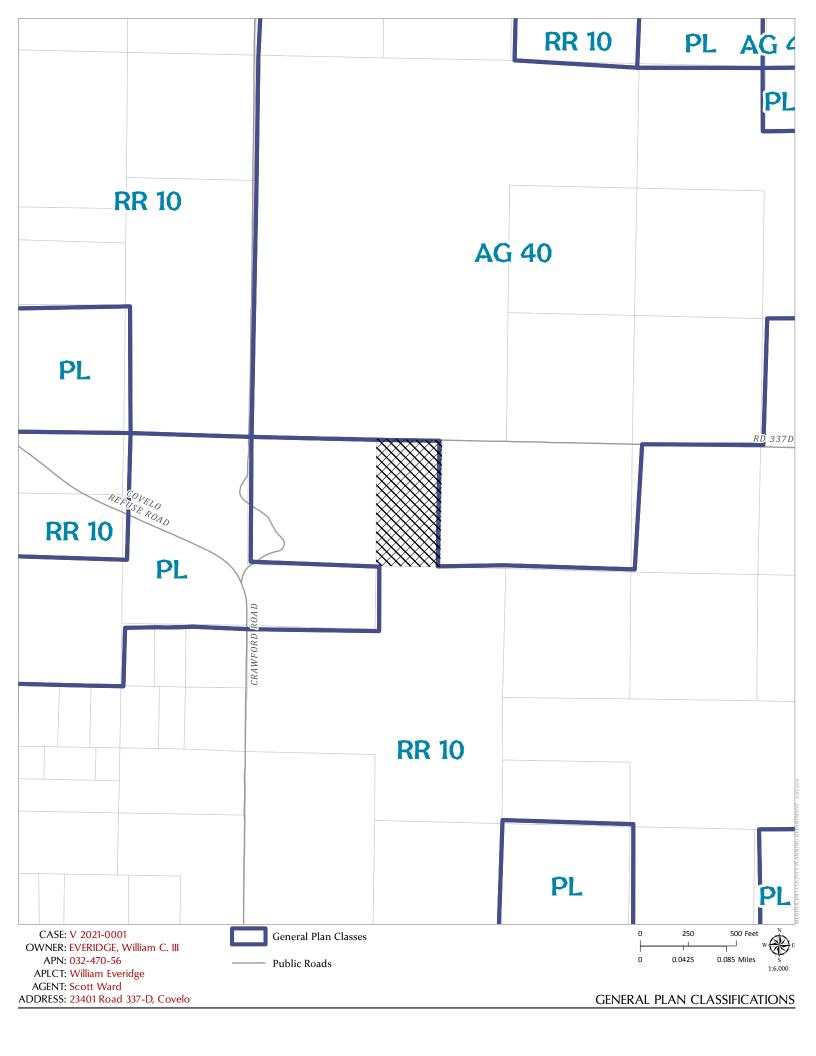
FIRE RESPONSIBILITY AREA

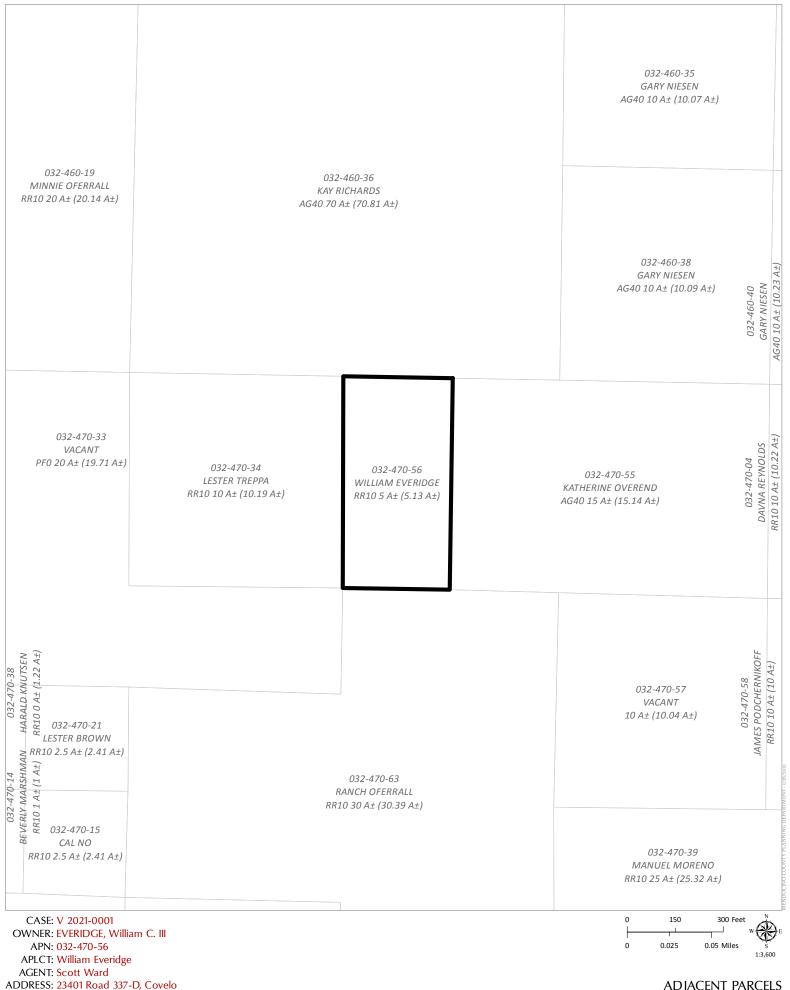












ADJACENT PARCELS

