

pbscommissions - ADDENDUM TO RESPONSE regarding public hearing on CDP_2020-0024

From: William Buechler <buechlerlaw@hotmail.com>
To: "pbscommissions@mendocinocounty.org"
<pbscommissions@mendocinocounty.org>
Date: 6/9/2021 2:24 PM
Subject: ADDENDUM TO RESPONSE regarding public hearing on CDP_2020-0024
Attachments: CDP_2020-0024-ADDENDUM.docx

Hello. On June 7, 2021, we forwarded our request for continuance and objections to CDP_2020-0024 as we are adjacent property owners to the proposed development. Attached please find an addendum to our initial filing. We ask that you confirm receipt of this addendum and include it with the file that is set for hearing on June 10, 2021, at 11 a.m. Sincerely, William and Cynthia Buechler

Mendocino County
JUN 10 2021
Planning & Building Services

TO:

pbscommissions@mendocinocounty.org

Mendocino County Coastal Permit Administrator
Department of Planning and Building Services
120 West Fir Street
Fort Bragg, CA. 95437

FROM:

buechlerlaw@hotmail.com
Cynthia and William Buechler
Owners
2750 White Gull Court
Albion, CA. 95410

ADDENDUM TO RESPONSE regarding the Public Hearing on CDP_2020-0024.

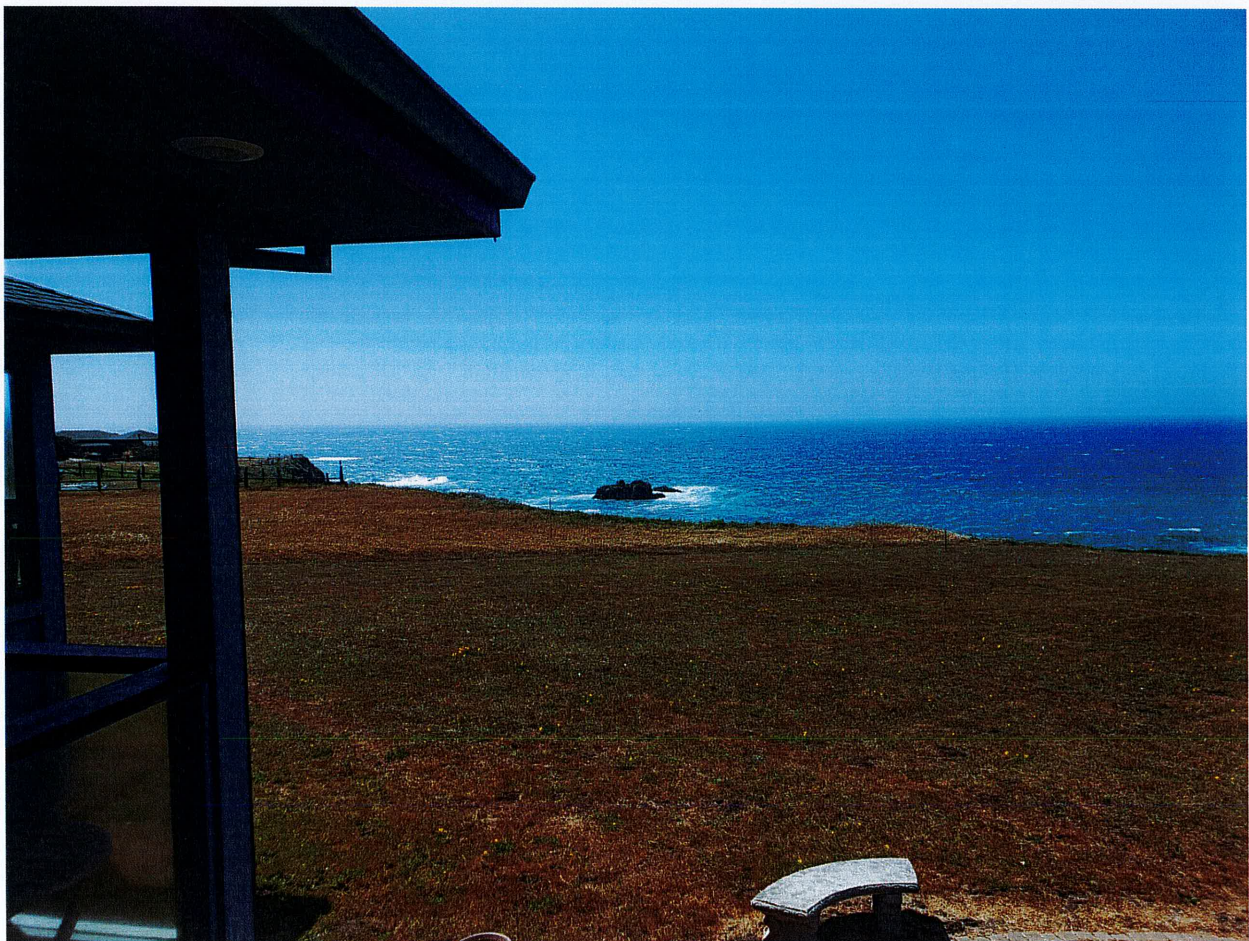
On June 7, 2021, we filed a request for continuance and response/objections regarding the above-referenced case that is currently set for hearing on June 10, 2021. The following serves as an addendum to our prior filing. Our property is directly adjacent to the east of the subject development.

1. We continue to request that the Mendocino County Coast Permit Administrator deny development application CDP_2020-0024 as currently proposed.
2. Through correspondence dated June 6, 2021, Flint and Janet Pulskamp asserted objections to the proposed development application. The Pulskamps are interested parties since their property lies two lots to the east of the subject development. As our interests are identical, we support the Pulskamps' position and fully incorporate their objections into our responses, including their submitted photographs.
3. As pointed out by the Pulskamps in their objections, we are substantially concerned about the house currently being built on parcel #123-340-18, which sits directly on the same special plant, animal and wetlands buffers that are affecting CDP_2020-0024. Apparently, the same issues had no affect on the approval of the permit for the house being built on parcel #123-340-18. Such inconsistencies warrant a critical review in the permit process and must lead to the denial of the application as currently presented.
4. Again, of great concern to us, is the fact that the staff report fails to consider the visual impact to the neighbors living on both sides of the proposed development. The staff report states that the development "would not be out of character with surrounding development". This statement is patently and categorically false. As it stands, the proposed development would sit just 46' from the bluff's edge, which is obviously a significant deviation from the character of the surrounding development. Further, as we have repeatedly stated, story poles would demonstrate this egregious deviation. Unfortunately, our requests for the poles have been met with nothing but silence.
5. Policy 3.5-1 of the Coastal Element states, in pertinent part, as follows:

“The scenic and visual qualities of Mendocino County coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas and, where feasible, to restore and enhance visual quality in visually degraded areas.” (emphasis added)

Clearly, the proposed staff report ignores and violates the dictates of Policy 3.5-1 since the views to and along the ocean and scenic coastal areas will not be protected, and the proposed development is certainly not visually compatible with the character of the surrounding areas.

6. Finally, please see the attached photographs.



This photograph is taken from our back porch. The proposed development plan would entirely block the western view of the ocean and coast.



This photo was taken in our back yard. Again, the proposed development would entirely block the western view of the ocean and the coast.

CONCLUSION

As stated previously, the alternative development "B" that was offered by the applicant last year would be acceptable to us. The setback in alternative "B" would maintain the coastal visual qualities of the Mendocino coastal area for the surrounding properties and would be more visually compatible with the character of the surrounding area as mandated by Coastal Element Policy 3.5-1. As such, we continue to strenuously object to CDP_2020-0024 and request that it be denied as presented.

Sincerely,

Cynthia and William Buechler