



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING & BUILDING SVCS.

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

JULIA KROG, DIRECTOR
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pbs@mendocinocounty.gov
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MEMORANDUM

DATE: NOVEMBER 6, 2023
TO: MENDOCINO HISTORICAL REVIEW BOARD
FROM: STEVEN SWITZER, PLANNER II
SUBJECT: **MINOR ALTERATION FOR MHRB_2022-0007 (ROBINSON) LOCATED AT 45080 LITTLE LAKE ST; APN 119-160-34**

Pursuant to the Minor Alterations in the Town of Mendocino Policy, the property owner proposes a minor alteration for review and consideration for the depositing of gravel for a 3± inch topcoat on the existing driveway. MHRB_2022-0007 previously approved after-the-fact driveway improvements with pervious gravel and repairs to an existing fence with a gate.

Considering Mendocino Town Code (MCC) Section 20.760.030 (C) in part requires Review Board approval for any excavation of, or deposit of material upon, land in such a manner as to materially alter the existing contour or condition of the land, the proposed deposit of gravel on the property should be reviewed and considered.

Staff finds that the proposed deposit of material would be minor and not conflict with MHRB_2022-0007 adopted findings and conditions, MCC Section 20.760.050 -Standards, and the Mendocino Town Plan. MHRB_2022-0007 shall expire on December 15, 2023.

ATTACHMENTS:

- A. Minor Alterations in Town of Mendocino Policy
- B. Issued MHRB_2020-0007 Permit
- C. Minor Alterations Request & Site Plan

Mendocino Historical Review Board

c/o Planning & Building Services
120 West Fir Street
Fort Bragg, CA 95437
964-5379



MENDOCINO HISTORICAL REVIEW BOARD PERMIT

Date: December 15, 2022
Permit: MHRB # 2022-0007

APPLICANT: DAN ROBINSON

On December 5, 2022, the Mendocino Historical Review Board granted DAN ROBINSON this permit for after-the-fact driveway improvements with pervious gravel and repairs to an existing fence with a gate, installation of a 2500-Gallon water storage tank wrapped in wooden planks, landscaping, as well as an occupancy change from commercial use to a residential use at 45080 Little Lake St; APN: 119-160-34.

FINDINGS:

- (A) Pursuant with MCC Sec. 20.760.065(A), the driveway improvements with pervious gravel and repairs to an existing fence with a gate, and proposed 2500-Gallon water storage tank wrapped in wooden planks is in harmony with the exterior appearance and design of existing structures within the District and with that of the existing subject structure; and
- (B) Pursuant with MCC Sec. 20.760.065(B), the driveway improvements with pervious gravel and repairs to an existing fence with a gate, and proposed 2500-Gallon water storage tank wrapped in wooden planks would not detract from the appearance of other property within the District.

CONDITIONS:

1. This action shall become final and effective on the 11th day following the decision unless an appeal is filed pursuant to Section 20.760.072 of the Mendocino County Code. The permit shall expire and become null and void at the expiration of two (2) years after the effective date except where construction and or use of the property in reliance on such permit have been completed prior to its expiration.
2. The application along with supplemental exhibits and related material shall be considered elements of this permit, and compliance therewith is mandatory.
3. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division.
4. This permit shall be subject to revocation or modification upon a finding of any one (1) or more of the following:
 - 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. A final judgment of a court of competent jurisdiction has declared one (1) or more conditions to be void or ineffective or has enjoined or otherwise prohibited the enforcement or operation of one (1) or more such conditions.

5. To establish that site-work satisfies the requirements of MHRB Permit 2022-0007 and the Review Board's action, the property owner shall request a Planning and Building Services Final Inspection prior to the expiration of this permit. Prior to this MHRB Permit's expiration (if no Building Permit is obtained) and at the request of the property owner, PBS will furnish, following a site inspection of completed work, a functionally equivalent document demonstrating that the requirements of MHRB Permit 2022-0007 have been satisfied.
6. Prior to the expiration of this permit, the property owner shall demonstrate to Mendocino County Code Enforcement staff that the unpermitted driveway violation and gate improvements have been resolved to the satisfaction of Mendocino County.
7. Any Building Permit request shall include MHRB Permit 2022-0007 printed on the plans submitted.
8. Outdoor lighting shall be shielded. Illumination shall be reflected downward and positioned in a manner that does not allow light glare to extend beyond the property boundaries.
9. The 2500-Gallon water storage tank shall be wrapped with wooden planks oiled once and left to age naturally. Exterior service meters and other mechanical equipment, e.g., electric meters, shall be enclosed from public view.
10. New or replacement exterior building materials shall not include use of imitation or synthetic materials, such as aluminum or vinyl siding, imitation stone, imitation brick, plastic laminated beams, concrete block or boards, stucco or asbestos shingles or panels, or plywood panels.

By: 
MARK CLISER, EXECUTIVE SECRETARY

December 15, 2022
DATE



COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING & BUILDING SVCS.

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MINOR ALTERATIONS IN THE TOWN OF MENDOCINO POLICY

PURPOSE: Minor alterations¹ to approved MHRB Permits shall be reviewed by the Department to determine their consistency with MHRB adopted findings and conditions², MCC Chapter 20.760, and the goals and policies of the Mendocino Town Plan, as appropriate.

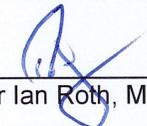
AUTHORITY: Coastal Element Chapter 4.13, *Mendocino Town Plan, Subsection 4.3, Mendocino Town Design Guideline Policies* includes Policy DG-1, "All new development shall be designed to be compatible with the historical design character of the town." Pursuant to **MCC Chapter 20.760 –Historical Preservation District for Town of Mendocino**, the Review Board’s duty, power, and responsibility is to preserve the architecture and character of the Historic District, protect the landmark status of buildings, and ensure development is compatible with surrounding development. **MCC Section 20.760.020 – Establishment, Power, Duties and Responsibilities of Historical Review Board** states, in part, the Review Board duties are to review all applications for development.

POLICY: For the duration of this policy, the Department will assess whether proposed minor alterations are consistent with and are in substantial conformance with an effective MHRB permit, provided the following apply:

- 1) Proposed minor alterations shall not conflict with MCC 20.760.050 –Standards, adopted findings and conditions of the MHRB Permit, and the Mendocino Town Plan, including its Appendix 7.
- 2) Proposed minor alterations to an MHRB Permit shall be considered by the Review Board prior to issuance of a building permit application or its amendment, and before the MHRB permit expires² or final building permit inspection occurs. (*Building permit amendments may encompass minor design changes.*)

PROCEDURE: Prior to issuance of a building permit or building permit amendment, and before the MHRB permit expires² or final building permit inspection occurs, a property owner may propose minor alterations for consideration by the Review Board. These matters will be considered as a Consent Calendar item during an MHRB Meeting. Minor alterations that are inconsistent with the approved MHRB Permit findings and conditions shall require a new MHRB Permit, given MCC Chapter 20.760 requires permit approval for work in the Historic District and the design changes are not minor.

Policy Prepared By: Steven Switzer, Planner II, & Juliana Cherry, Planner III

Policy Reviewed By:  Date: 4/24/2023
Chair Ian Roth, Mendocino Historical Review Board

Policy Approved By:  Date: 4/4/2023
Director Julia Krog, Planning and Building Services

NOTE: The Review Board shall have the final determination in the event that there are ambiguities that cannot be readily determined related to a particular structure or development and its respective MHRB Permit.

¹ "Alteration" means the addition to, removal of, repair, glazing, painting or removal of paint, and similar modifications of a structure or outdoor advertising sign, or any part thereof, in Historical Zone A and Historical Zone B, as defined in MCC 20.608.020(L).

² Each issued MHRB approval shall expire and become null and void at the expiration of two (2) years after the application is granted. For the MHRB approval to remain valid, progress toward completion of the project must be continuous; provided, that any approval that has vested shall not expire. MCC 20.760.075

Steven Switzer

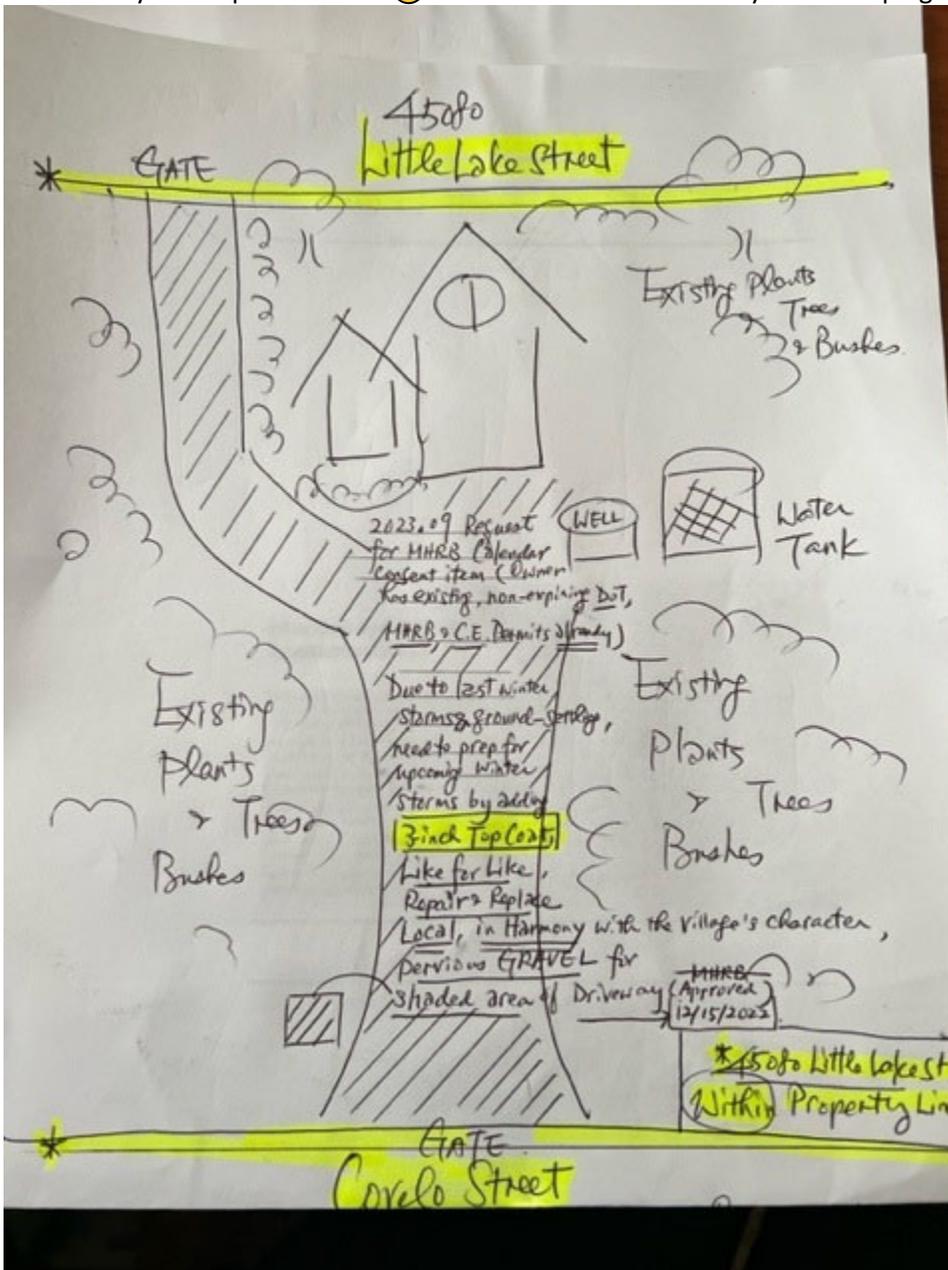
From: Dan Robinson <dan.333@me.com>
Sent: Saturday, September 9, 2023 5:41 AM
To: Steven Switzer
Subject: Re: Encroachment Permit TU_2022-0135 45080 Little Lake Street, Covelo Street Field Entrance

Follow Up Flag: Follow up
Flag Status: Flagged

2023.09.09

Dear Steve,

Thanks for your help in advance. 😊 No worries. I understand you are helping many people.



Please see attached plot map for the MHRB Calendar Consent Item.

Please feel free to edit in the proper format for your submission to MHRB - with the DRAFTED MHRB paragraph sent to you in the 9/1 email.

(1) Please be so kind to let us know WHEN you are going to present this to MHRB.

(2) Around what date(s) do you think we will receive the formal approval letter via email?

(3) To estimate and answer your question, the amount of materials is about 2 truck loads.

Please note to MHRB that we paid for all the permits & completed the all the arduous processes and obtained 6 Permits & Approval Letters on 12/15/2022, waited 10 days, with zero appeal; like you mentioned before, this should be a continuous calendar consent item (as gesture of respect to inform in advance what we are planning to do to complete the MHRB PERMIT items nicely & respectfully - since we received a stop-order and was not able to finish the driveway last time).

This is indeed a good intention to complete what the already paid for the 6 permits & approval items one by one (\$15,000 in total) and checked off by the all involved public officials. Please guide us to close out all the Permits Items. The processes are way too complicated in the village.

I understand and respect what you need to do. There should not be any need for additional permits. I just want to finish the driveway top coat well and close out this MHRB PERMIT items by Planning & MHRB properly. DoT already came by last and checked all their official boxes for the Field Entrance & Encroachment Permit (see Alex last reply). This particular job is just to finish off the 3 inch Top Coat of the sinked down Driveway WITHIN the property line - Like For Like, Repair & Replace - due to the 4 months of heavy storms last winter and in order to prepare for the coming winter.

Please note 📄 that due to the continuous attacks from neighbors (even after the 12/15/2022 date, zero appeal, you forwarded us via email all the required permits & approval letters : MHRB, C.E. DoT, MCCSD ... etc.), the complainers are still throwing broken glasses & tempering with our gates... non-stop!

I understand that this is not your scope / Planning Dept's purview; however, the complainers have continued to use Planning / MHRB as platforms for attacks, just FYI. It's painful!!! Best not to mention names and complete the necessary processes with respect to privacy.

To conclude with positive notes, we as owners will do all the maintenance works necessary for the future. We received many compliments for our very healing & beautiful gardens & attentiveness to safety issues such as filling pot holes, etc. We received the warmest appreciations from hundreds if not thousands visitors & long term residents alike who walked by and admired the property, all thanks to your help! 🙏😊

Sincerely with appreciation for your excellence, let me know if the plot map is good enough. Feel free to correct / edit. Thank you so much, Steve!

Dan Robinson
Owner of
45080 Little Lake St
Mendocino CA

On Sep 7, 2023, at 11:54 AM, Steven Switzer <switzers@mendocinocounty.gov> wrote:

Hi Dan-

Thanks for your patience with my response.

Your 1st draft is a great start! I just have a few questions that should give the review board a better idea of what to expect with the driveway improvements.

1. **How much gravel will you be placing on the property?** Not sure if you have lined up a purchase order, but it would be helpful to know the amount of material that will be coming to the site. A typical standard truck bed can hold around 1 cubic yard of gravel.
2. **Please provide a plot plan of the property to identify the areas of disturbance/improvements to the driveway.**

It is unclear if this work would also involve changes to the existing and approved field approach on the county road. Any changes to the gravel within the county's right of way may require additional permitting.

Having a plot plan will help to determine and provide a record of the areas where the changes will occur. This should ideally answer any questions from County staff as well as the public on what is being improved and what if any permits are needed for the work.

Steven Switzer

Planner II

<image001.png>

County of Mendocino
Department of Planning & Building Services
860 N Bush Street • Ukiah, CA 95482
Main Line: 707-234-6650
Fax: 707-463-5709
Switzers@MendocinoCounty.gov
MendocinoCounty.gov/PBS

From: Dan Robinson <dan.333@me.com>
Sent: Friday, September 1, 2023 10:20 AM
To: Steven Switzer <switzers@mendocinocounty.gov>
Cc: Alexander Sequeira <sequeiraa@mendocinocounty.gov>; Curtis Bruchler <bruchlerc@mendocinocounty.gov>
Subject: Re: Encroachment Permit TU_2022-0135 45080 Little Lake Street, Covelo Street Field Entrance

2023.09.01

Dear Steven (Planning),

Thanks for your help. You are correct. The MHRB Permit covers the after-the-fact-Driveway, from Little Lake Street to Covelo Street.

Please let us know what specific statement you need for your memo to MHRB in order to proceed properly & by complying to all ordinances that you know of.

The 1st DRAFT:

“Dear MHRB - due to the last winter 4 months of heavy storms and settling of the ground, we need to be using local pervious gravel in harmony with the character of the village to complete a top coat (3 inches)

of the EXISTING driveway (repair & replace like for like) from Little Lake Street to Covelo Street for our property to eliminate safety issues and prep for upcoming winter storms. The EXISTING MHRB Permit will not expired until 12/2024. There will be NO CONTOUR change. Thank You.”

As you summarized so well in your last paragraph in your 8/31 email : we want to be respectful and communicate ahead of time exactly what we are going to do, please provide a brief memo to the MHRB as a consent calendar item statement I am providing you with a draft above. Please feel free to edit to the acceptable format for MHRB submission. Please let us know when you will present it and when we are approved.

Thank you so much! Appreciate your help!

Grateful for your guidance,
Dan Robinson
Owner of
45080 Little Lake Street
Mendocino CA

On Aug 31, 2023, at 11:30 AM, Steven Switzer <switzers@mendocinocounty.gov> wrote:

Hi Dan-

MHRB_2022-0007 approved the after-the-fact driveway improvements with pervious gravel and repairs to an existing fence with a gate.

[Mendocino County Code Section 20.760.040](#) provides the following:

***The following activities shall be exempt from the provisions of this Chapter:
(C)Routine maintenance of existing structures where materials used match existing, and, where no alteration of height, dimensions, or exterior architecture of such structures will occur.***

[MCC Section 20.608.038](#) defines structure is as:

Structure" means anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground, including, but not limited to, any building, road, street, highway, bridge, culvert, fence, other enclosure or exclosure, pipe, flume, conduit, siphon, aqueduct, telephone line, electrical power transmission and distribution line, antenna and satellite dish.

If you are operating within these definitions from the code, then the work would be exempt from a new MHRB permit. However, if the proposed driveway improvements do not meet these definitions then I would suggest providing more information on the amount of material you intend to deposit on-site and if the existing driveway contours would change. With this additional information we would be able to utilize the [Minor Alterations in the Town of Mendocino Policy](#).

In short, I would provide a brief memo to the Review Board as a Consent Calendar item. No additional cost would be incurred. If the Review board approves the change to

MHRB_2022-0007, then you would satisfy the code requirements of Historical Review for the proposed changes.

Steven Switzer

Planner II

<image001.png>

County of Mendocino
Department of Planning & Building Services
860 N Bush Street • Ukiah, CA 95482
Main Line: 707-234-6650
Fax: 707-463-5709
Switzers@MendocinoCounty.gov
MendocinoCounty.gov/PBS

From: Dan Robinson <dan.333@me.com>
Sent: Thursday, August 31, 2023 10:08 AM
To: Alexander Sequeira <sequeiraa@mendocinocounty.gov>
Cc: Curtis Bruchler <bruchlerc@mendocinocounty.gov>; Steven Switzer <switzers@mendocinocounty.gov>
Subject: Re: Encroachment Permit TU_2022-0135 45080 Little Lake Street, Covelo Street Field Entrance

Alex - Great! Thank you 🙏!

We will let you know when we need to maintain the approach from driveway to county road in the future.

Grateful for your service!
Dan Robinson
45080 Little Lake Street
Mendocino CA

On Aug 30, 2023, at 4:33 PM, Alexander Sequeira <sequeiraa@mendocinocounty.gov> wrote:

Hi Dan,

Just to clarify, are you talking about driveway work on your property? I am not involved with the driveway on your property, only the approach to the County Road.

The field entrance (approach to County Road) was already completed and the encroachment permit was closed out. See attached closure letter dated December 23, 2022.

Thanks,
[Alexander Sequeira](#)
Engineer I

Mendocino County
Department of Transportation
(707) 234-2816
sequeiraa@mendocinocounty.org

From: Dan Robinson <dan.333@me.com>
Sent: Tuesday, August 29, 2023 11:34 AM
To: Alexander Sequeira <sequeiraa@mendocinocounty.gov>; Steven Switzer <switzers@mendocinocounty.gov>
Cc: Curtis Bruchler <bruchlerc@mendocinocounty.gov>
Subject: Fwd: Encroachment Permit TU_2022-0135 45080 Little Lake Street, Covelo Street Field Entrance

2023.08.29

Alex S. (DoT Engineer),
Steven S. (County Planner),
Cc: Curtis B. (County Code Enforcement),

Hope this email finds you well. Please note the attached DoT Permit granted from Alex S. on 2022.12.16, day after receiving the MHRB, CE. & MCCSD Permits & Approval Letters from County Planning: Steven S. on 2022.12.15.

Purpose of this communication is to inform you the county officials ahead of time that i the owner of 45080 Little Lake Street, Mendocino CA, will plan to complete the permitted driveway in the next few months: specifically, COMPLETING the 3 to 6 inch layer of the Local Gravel (Top Coat) for the Driveway from September to November, 2023.

Alex - do I have to schedule with DoT for Field Review (before the DoT Permit expiration date)?

Code Enforcement contact Curtis Bruchler is included in this email just in case the onlookers or neighbors' complaints would flood your phones / inboxes.

FYI, since we have been attacked even after we obtained all the necessary permits and the neighbors are still throwing broken glasses at us, trespassed, and tempered with the locks of fhe driveway gates after we gone through the proper county & local processes of the already granted 6 permits and approval letters - MHRB, C.E., DoT, MCCSD Sewage, MCCSD Residential, MCCSD Allotment - the complainers will probably not stop the complaints. Therefore, I am writing this ahead-of-work-being-performed email communication to all 3 of you & your departments.

Please let me know what other procedures are required of me, the owner of 45080 Little Lake Street, Mendocino CA, before I work to complete the driveway in the next few months.

Thank you 😊🙏 for your service.
Dan Robinson,
Owner of 45080 Little Lake Street, Mendocino CA

From: Alexander Sequeira
<sequeiraa@mendocinocounty.org>
Date: December 16, 2022 at 3:28:41 PM PST
To: Dan Robinson <dan.333@me.com>
Cc: Kent Standlee <standlek@mendocinocounty.org>, Rick Perry <perryr@mendocinocounty.org>, Ryan Bushnell <bushnellr@mendocinocounty.org>, Rick Norman <normanr@mendocinocounty.org>
Subject: Encroachment Permit TU_2022-0135 45080 Little Lake Street, Covelo Street Field Entrance

Hi Dan,

I received the Coastal Exclusion from Steven. Please see attached Encroachment Permit.

I will be in the area on Monday and will do a final inspection on the field entrance. As discussed in person on Wednesday, you were to remove the gravel berm along the edge of pavement. I will verify this on Monday, then send you a closure letter to final out the permit.

Please let me know if you have any questions.

Thanks,

Alexander Sequeira
Engineer I
Mendocino County
Department of Transportation
(707) 234-2816
sequeiraa@mendocinocounty.org

<0135 Closure Letter.pdf>