To: BOARD OF SUPERVISORS

FROM: Planning and Building Services

MEETING DATE: February 27, 2024

DEPARTMENT CONTACT:Susan SummerfordPHONE:707-234-6650DEPARTMENT CONTACT:Julia KrogPHONE:707-234-6650

ITEM TYPE: Consent Agenda TIME ALLOCATED FOR ITEM: N/A

AGENDA TITLE:

Acceptance of Informational Report Regarding the Issuance of Emergency Coastal Development Permit EM_2023-0004 (Kozel) to Replace 3 Exterior South-Facing French Doors and their Associated Sidelights, Located at 45700 Cypress Drive; Mendocino, 95460, APN: 118-230-05

RECOMMENDED ACTION/MOTION:

Accept the Informational Report Regarding the Issuance of Emergency Coastal Development Permit EM_2023-0004 (Kozel) to Replace 3 exterior south-facing French doors and their associated sidelights, Located at 45700 Cypress Drive; Mendocino, 95460, APN: 118-230-05

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:

In 1991 the Board adopted Division II of Title 20 of Mendocino County Code through Ordinance No. 3785. Included in Division II is Section 20.536.055 which allows Permits for Approval of Emergency Work. In cases of a verified emergency, temporary emergency authorization to proceed with remedial measures may be given by the Director or his or her designee until such time as a Coastal Development Permit application is filed. The Director shall report in writing to the Board of Supervisors at each meeting the emergency permits applied for or issued since the last report, with a description of the nature of the emergency and the work involved. The report of the Director shall be informational only. The decision to issue an emergency permit is solely at the discretion of the Director. Notice of emergency permits shall be provided by phone or letter to the California Coastal Commission within three (3) days, following issuance of the emergency permit.

SUMMARY OF REQUEST:

The house is sited on the blufftop facing the Pacific Ocean to the south and west and was constructed in 2002. The doors are 22 years old and are exposed to the strong south winter winds and driving rains. Environmental damage is the primary cause of the Emergency Permit request. The three existing exterior south-facing French doors and attached sidelights are damaged and cannot be secured nor waterproofed. The doors must be boarded shut, preventing emergency ingress and egress. Additionally, the residence is unable to be secured without utilizing temporary boards until these doors and sidelights can be replaced.

The emergency permit was issued on February 12, 2024 and becomes null and void at the end of sixty (60) days. Prior to expiration of this Emergency Permit, the applicant shall submit a standard Coastal Development Permit application for the work authorized by the permit.

ALTERNATIVE ACTION/MOTION:

None, informational item.

STRATEGIC PLAN PRIORITY DESIGNATION: A Safe and Healthy County

SUPERVISORIAL DISTRICT: DISTRICT 4

VOTE REQUIREMENT: Majority

SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

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

FISCAL DETAILS:

SOURCE OF FUNDING: N/A
CURRENT F/Y COST: N/A
BUDGET CLARIFICATION: N/A
ANNUAL RECURRING COST: N/A

BUDGETED IN CURRENT F/Y (IF NO, PLEASE DESCRIBE): N/A

REVENUE AGREEMENT: N/A

AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL: N/A

CEO LIAISON: Steve Dunnicliff, Deputy CEO

CEO REVIEW: Choose an item.

CEO COMMENTS:

FOR COB USE ONLY

Executed By: Deputy Clerk
Date: Date Executed
Final Status: Item Status
Executed Item Type: item

Number:

JULIA KROG, DIRECTOR PHONE: 707-234-6650 FAX: 707-463-5709 FB PHONE: 707-964-5379 FB FAX: 707-961-2427 pbs@mendocinocounty.gov www.mendocinocounty.org/pbs

COASTAL DEVELOPMENT PERMIT **AUTHORIZATION FOR EMERGENCY WORK**

PROJECT NO. EM_2023-0004

OWNER: SARA TIETZ KOZEL, TRUSTEE

PO BOX 37

CALISTOGA, CA 94515

APPLICANT: EDWARD AND SARA KOZEL

PO BOX 37

CALISTOGA, CA 94515

SITE ADDRESS/APN: 45700 Cypress Drive; Mendocino, 95460/APN: 118-230-05

NATURE OF EMERGENCY: The three existing exterior south-facing French doors and attached sidelights are damaged and cannot be secured nor waterproofed. The doors must be boarded shut, preventing emergency ingress and egress. Additionally, the residence is unable to be secured without utilizing temporary boards until these doors and sidelights can be replaced.

CAUSE OF EMERGENCY: The house was constructed in 2002. The doors are 22 years old and are exposed to the strong south winter winds and driving rains. Environmental damage is the primary cause.

REMEDIAL ACTION: The action to be approved under this Emergency Permit is authorization of the replacement of three south-facing exterior French doors and their associated sidelights prior to the approval and issuance of the Standard Coastal Development Permit Modification (CDPM 2023-0005) request currently being processed by the Mendocino County Department of Planning and Building for review and entitlement from the Coastal Permit Administrator.

This emergency permit authorizes the following:

- The removal of three exterior damaged French doors and associated sidelights.
- The replacement of the three exterior doors and associated sidelights.

See the attached October 19, 2023, Emergency Permit application and proposed construction and site plan. The exterior doors to be replaced are identified on the construction sheets. No other work is a part of this emergency permit authorization.

CIRCUMSTANCES TO JUSTIFY EMERGENCY: As winter storms bring precipitation and high winds along coastal areas, the residence will continue to sustain damage until the windows and sidelights are replaced. The use of boards protecting the damaged areas is a temporary measure and does not permit ingress or egress or the ability to secure the home.

COMPLIANCE: Permits for Approval of Emergency Work are subject to MCC Sec. 20.536.060 et seq.

Date: January 16, 2024

RECOMMENDED BY:

Susan Summerford, Planner III

APPROVED BY:

Julia Krog, Department of Planning & Building Services Director

Date: February 12, 2024

COUNTY OF MENDOCINO DEPT OF PLANNING & BUILDING SERVICES 120 WEST FIR STREET FORT BRAGG, CA 95437

Telephone: 707-964-5379

Case No(s)	EM_	2023	-0004
CDF No(s)			
Date Filed	0119	1202	3
Fee \$ 2,2	63.2	00	
Receipt No.	PRJ_	05932	.4
Received by	TIO	Sar	
	Office	Use Only	

	GENCY PERMIT APPLIC	
Name of Applicant	Name of Owner(s)	Name of Agent
Edward and Sara Kozel	Sara Tietz Kozel, Trustee	Newberger & Associates
Mailing Address	Mailing Address	Mailing Address
PO Box 37	PO Box 37	435 N. Main St.
Calistoga, CA 94515	Calistoga, CA 94515	Fort Bragg, CA 95437
Telephone Number	Telephone Number	Telephone Number
707-225-1871	707-225-1871	707-225-1871
Project Description:		
		glazing. Door sizes: 5'x8', 6'x8',
The site is located on the(N/S/Ε	E/W) side of Cypress Dr.	(name road)
approximately 0 (feet/mil	es) (N/S/E/W) of its inters	section with
terminus of drive	·(provide nearest	major intersection).
Assessor's Parcel Number(s) 118-230-	05	
Parcel Size	Street Address of Proj	ect
1.2 Square	45700 Cypress Mendocino, CA Please note: Before sul Planning Division in Ul	\$\.95460 \\ \text{bmittal, please verify correct street address with the}

EMERGENCY PERMIT APPLICATION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Planning & Building Services Department and other agencies who will be reviewing your project proposal. The more detail that is provided, the easier it will be to promptly process your application. Please answer all questions. For questions which do not pertain to your project, please indicate "Not Applicable" or "N/A".

1.	NATURE	OF THI	E EMERGENCY	NARRATIVE	(use additional	pages if necessary).
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a) Describe the nature, cause and location of the emergency.

The existing French doors and attached sidelites are damaged and can not be secured nor waterproofed.

b) Describe the remedial protective or preventive work required to deal with the emergency.

These doors which can facilitate emergency exit must be boarded shut, preventing use.

c) Describe the circumstances during the emergency that justify the course(s) of action taken, including the probable consequences of failing to take action.

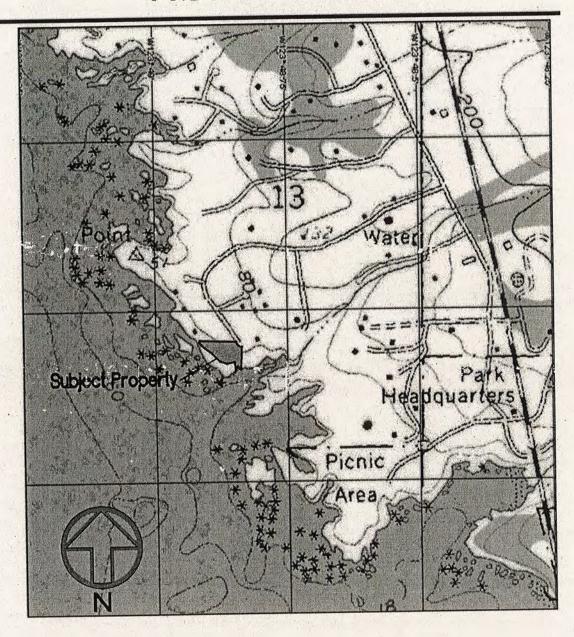
The residence can not be secured without taking these exit doors out of use. This is a problem if a fire situation were to occur.

d) Describe any secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc. that are necessary to deal with the emergency.

No other improvements required.

Are there existing structures on the property? X Yes No If yes, describe below and identify the use of each structure on the plot plan. Single family residence, guest cottage, utility room.
Is any grading or road construction planned? Yes X No
is any grading or tour or the same of the
Estimate the amount of grading in cubic yards c.y. If greater than 50 cubic yards or if greater than 2 feet of cut or 1 foot of fill will result, please provide a grading plan.
Describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).
로 보이 있는데 보고 있는데 살아보고 있는데 얼마를 보는데 하는데 살아보고 있다.
Will vegetation be removed on areas other than the building sites and roads? Yes X No
If yes, explain:
Project Height. Maximum height of structure(s): feet
Describe all exterior materials and colors of all proposed structures that are visible beyond the boundaries of the subject parcel.
Existing structures have dark green asphalt composition shingle roofing, Western Red Cedar vertical board and batten siding with semi-transparent cedar stain and black door and window aluminum clad frames.
Are there any water courses, anadromous fish streams, ponds, lakes, sand dunes, rookeries, marine mammal haulout areas, wetlands, riparian areas, pygmy vegetation, rare or endangered plants, animals or habitat which support rare and endangered species located on the project site or within 100 feet of the project site?
No.
그 그렇게 되었다. 그 사람들은 얼마를 가면 하는 것이 되었다. 그 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은 사람들은

VICINITY MAP



PROJECT ADDRESS: 45700 CYPRESS DRIVE, MENDOCINO, CA 95460

ASSESSOR'S PARCEL NO.: 118-230-05

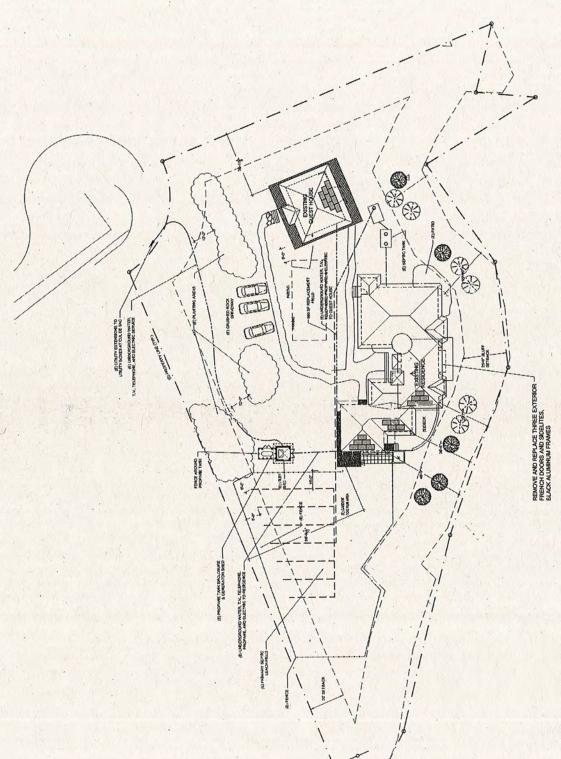
MENDOCINO, CALIFORNIA 95460 APN: 118-230-05

EDWARD AND SARA SINGLE FAMILY RESIDENCE REMODEL FOR:

NAJA TIE

NEWBERGER & ASSOCIATES

rendesign'com



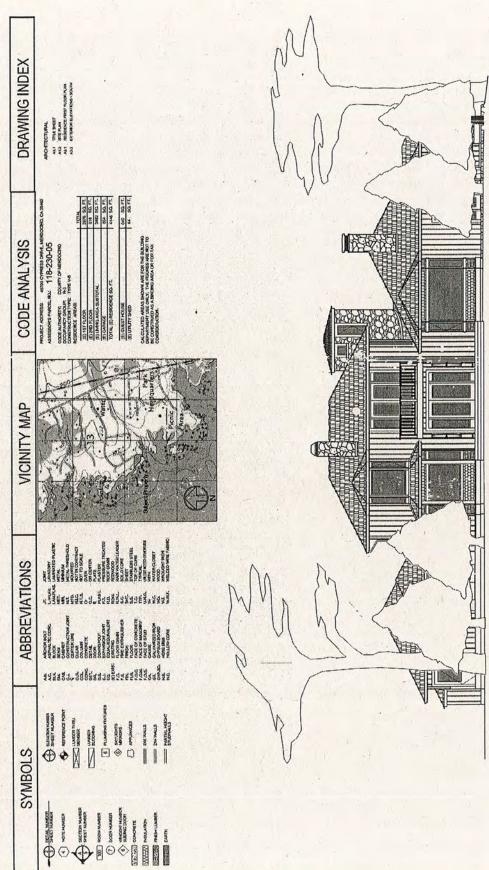
42700 CYPRESS DR.
EDWARD AND SARA
EDWARD AND SARA

SINGLE FAMILY RESIDENCE REMODEL FOR:

NEMBERCER & ASSOCIATES

SARA KOZEI SINGLE FAMILY RESIDENCE REMODEL for: AND DWARI

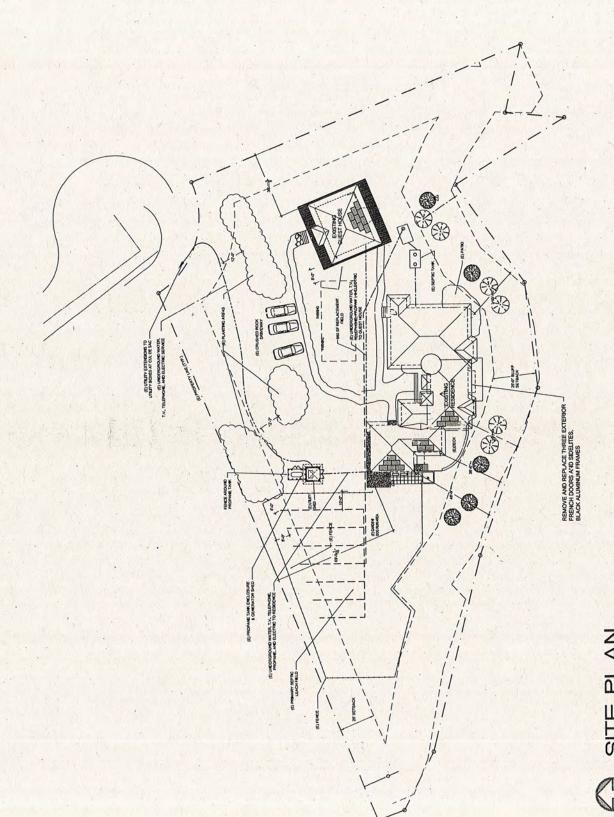
45700 Cypress Drive Mendocino, California 95460

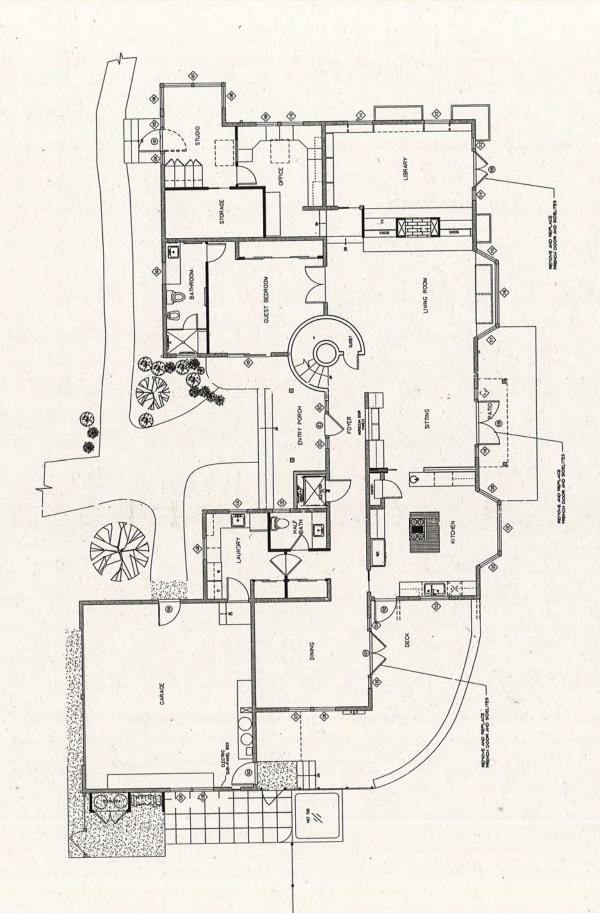


NAJ9 TIE

NEW WERDER & ASSOCIATES

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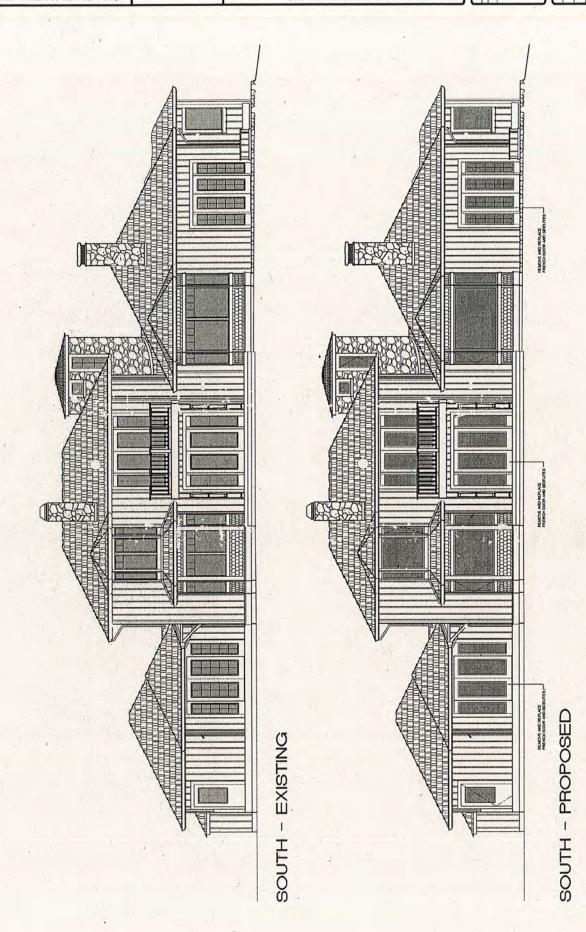


Lsybtescow

NEWBERGER & ASSOCIATES

NAJ9

FLOOR PLAN



ELEVATIONS - SOUTH

CERTIFICATION AND SITE VIEW AUTHORIZATION

- 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.
 IV 16 23
 Owner/Authorized Agent
 NOTE: IF SIGNED BY AGENT, OWNER MUST SIGN BELOW.
 AUTHORIZATION OF AGENT
 I hereby authorize _____ Newberger and Associates (Todd Newberger) ____ to act as my representative and to bind me in all matters concerning this application.

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 One of the application form.

Name	Name	Name
V 7	na i egyeke konyen di dibiya	
Mailing Address	Mailing Address	Mailing Address

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.

Date: 10/16/23

Total Applicant

RECORDING REQUESTED BY:

Redwood Empire Title Company of Mendocino County

Mail Tax Statements and When Recorded Mail Document To: Sara Tietz Kozel, Trustee of the GST Trust for Sara, UTA dated August 29, 1984 PO Box 37 Callstoga, CA 94515 2023-05096 Recorded at the request of: REDWOOD EMPIRE TITLE 06/30/2023 09:34 AN Fee: \$19.00 Pgs: 1 of 3

OFFICIAL RECORDS Katrina Bartolomie. - Clerk-Recorder Mendocino County, CA





Escrow No.: 20230245MN

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s) Documentary Transfer Tax stamps in the sum of \$4,290.00

- E computed on full value of property conveyed, or
- Computed on full value less value of liens or encumbrances remaining at time of sale,
- ☐ Unincorporated area:

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Mary Hockridge, Successor Trustee of the Masterson Survivor's Trust created UTD July 15, 1991

hereby GRANT(S) to

Sara Tietz Kozel, Trustee of the GST Trust for Sara, UTA dated August 29, 1984

the following described real property:

TRACT ONE:

Lot 5 of Coast Highlands Subdivision Unit No. 1, as per map filed March 11, 1960 in Map Case 2, Drawer 1, page 32, in the office of the Mendocino County Recorder.

APN: 118-230-05

TRACT TWO:

Beginning at a point, said point being the most Northwesterly comer of the above-described Lot Number 5; thence South 67°50'00" West to the mean high tide of the Pacific Ocean; thence following the meander of said mean high tide line in a Southerly and Easterly direction to a point on the mean high tide line lying South 22°10'00" East of the most Southeasterly corner of above-described Lot Number 5; thence North 22°10'00" West to the said Southeasterly corner of Lot Number 5; thence following the meander of the Southerly line of Lot number 5 in a general Westerly and Northerly direction along the courses and distances as laid out in the above-mentioned map of the Coast Highlands Subdivision, Unit Number One, to the point of beginning.

APN: 118-230-47

TRACT THREE:

A NON-EXCLUSIVE RIGHT-OF-WAY for pedestrian use over five foot strips of land lying between Lot No. 7 and 8, Lot No. 10 and 11, and Lot No. 12 and 13, in "Coast Highlands Subdivision, Unit No. 1", map of which was filed in the office of the Recorder of the County of Mendocino, State of California, March 11, 1960, in Map Case 2, in Drawer No. 1, at page

32; also the right to use for recreational purposes only all property lying Westerly and Northerty of the Westerly and Northerty property line of said Coast Highlands Subdivision, Unit No. 1, described above, adjacent to and adjoining Lots No. 6, 7, 8, 9, 10, 11, 12, 13, and 14, as shown on said map of Coast Highlands Subdivision, Unit No. 1, described above.

TRACT FOUR:

A NON-EXCLUSIVE RIGHT-OF-WAY for roadway purposes over and across these certain strips of land lying within Section 13, Township 17 North, Range 18 West, Mount Diablo Base and Meridian, and within Section 18, Township 17 North, Range 17 West, as shown on that certain map entitled, "Coast Highlands Subdivision, Unit No. 1", which map was filed in the office of the Recorder of the County of Mendocino, State of California, March 11, 1960, in Map Case 2, in Drawer No. 1 at page 32, and designated "Private Roads" and named Cypress Drive, Bishop Lane, and Cypress Circle.

Dated: May 24, 2023

Mary Hockridge, Successor Trustee of the Masterson Survivor's Trust created UTD July 15, 1991

Many Hockridge, Successor Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

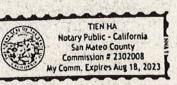
State of Californi County of	"San Mateu	
on June 15	, 2023	before me
Tien to		Notary Public,
nemonally appea		مالمه

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature Tun The (Seal)





COUNTY OF MENDOCINO

DEPARTMENT OF PLANNING & BUILDING SVCS.

860 NORTH BUSH STREET • UKIAH, CALIFORNIA 95482 120 WEST FIR STREET • FORT BRAGG, CALIFORNIA 95437 PHONE: 707-234-665 FAX: 707-463-570 FB PHONE: 707-964-537

FB FAX: 707-961-242 pbs@mendocinocounty.or www.mendocinocounty.org/pl

ACKNOWLEDGEMENT OF DEPOSIT/HOURLY FEE

By signing below, the applicant acknowledges that the staff at Planning and Building Services has discussed the potential for collection of a deposit fee for the projects listed below (as adopted by the Board of Supervisors Resolution No.'s 11-072, 16-150, 18-122 and 19-170)

- 1. Division of Land Project
- 2. General Plan Project
- 3. Coastal Project
- 4. Zoning Project
- 5. Administrative Project
- 6. Cannabis Project
- 7. Private Road Naming

Once an application has been submitted and the processing costs approach 80% of the application fee, additional staff processing time will be billed at \$90.00/hour. Staff will notify the applicant/owner that a deposit equal to 50% of the initial filing fee is required for further processing, and more than one deposit may be required depending on the complexity of the project and the staff time necessary to complete application processing.

I acknowledge that I was advised of the deposit fee for continued processing after the initial application fee has been expended.

Applicant Signature

Date

OFFICE USE ONLY:

Project or Permit Number



Mendocino County Planning and Building Services

860 North Bush Street Ukiah, CA 95482 (707) 234-6650 120 West Fir Street Fort Bragg, CA 95437 (707) 964-5379

Paid By: Edward T. Kozel

1610 Čedar St

CALISTOGA

CA 94515

Project Number: EM_2023-0004

Project Description: Replace 2 Exterior Doors

Site Address: 45700 CYPRESS DR

EM 2023-0004

Receipt: PRJ 059324

Date: 10/19/2023

Pay Method: CREDIT 40154365

Received By: TIA SAR

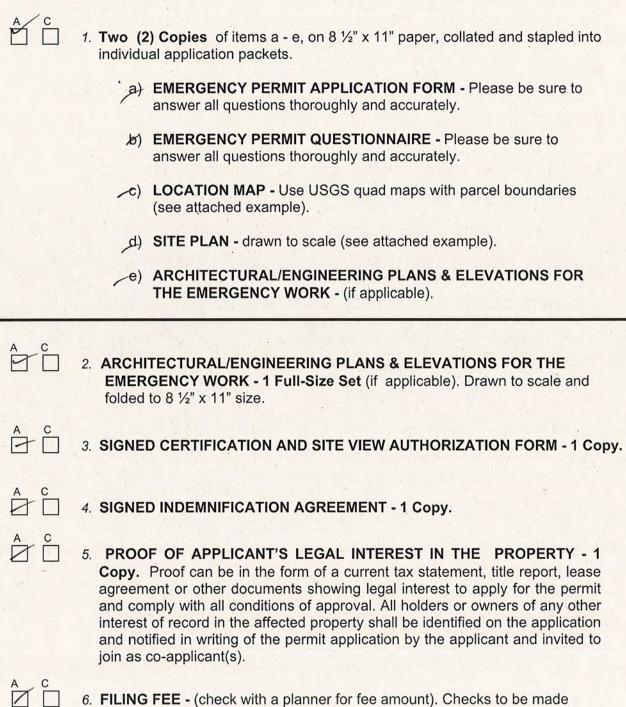
Fee Description	Account Number	Qty	Fee Amount
BASE FEES	1100-2851-822609		\$1,916.00
EM BASE			\$1,916.00
GENERAL PLAN	1100-2851-826188		\$200.00
			\$200.00
RECORDS MANAGEMENT	1222-2852-826260		\$147.00
			\$147.00
Total Fees Paid:			\$2,263.00

MC_ProjectReceipt.rpt

Printed: 10/19/23

EMERGENCY PERMIT PROJECT INTAKE CHECKLIST

The following information and materials must be submitted at the time an emergency permit application is filed with the Planning Division. <u>Applicants should check off each completed item under the box marked "A" and submit this checklist with the application</u>.



payable to the County of Mendocino.

