

OWNER: MICHAEL ST JOHN AND MARIA TERESA ALVAREZ
PO BOX 338
MENDOCINO, CA 95460

APPLICANT: MICHAEL ST JOHN
PO BOX 338
MENDOCINO, CA 95460

AGENT: JOE ODEGARD
PO BOX 984
MENDOCINO, CA 95460

PROJECT DESCRIPTION: Request to substantially remodel/rebuild an existing 10' by 30' guest cottage and to shift the building location two feet to the north and west (away from lot lines). The remodel/rebuild would include the following: recycled redwood barn shingles to replace rolled roofing; existing shed roof to be replaced by 8 in 12 gable roof (with a height increase from 12' to 15'); existing redwood v-groove ship-lap siding to be replaced with rough redwood board and batten siding with all redwood trim; wood windows and doors to replace existing; copper gutter and downspouts; redwood siding to be unpainted and doors and windows to be painted dark blue-gray. A variance from the side and rear yard setbacks is also requested. The variance would allow a reduction in the side yard setback from six (6) feet to two (2) feet and a reduction in the rear yard setback from ten (10) feet to two (2) feet.

STREET ADDRESS: 45351 Calpella Street, Mendocino (APN 119-214-06)

HISTORIC STRUCTURES: Site: Category III 45351 Calpella Street
North: Category IIa "H" at 45350 Calpella Street
Category IIb 10600 Heeser Street
East: Category III 10450 Heeser Street
West: Category IVb 44920 Little Lake Street
South: Category I "Antonio D Freitas House" at 45350 Ukiah Street

PARCEL SIZE: 0.15 acre lot

ENVIRONMENTAL DETERMINATION: A Class 31 Categorical Exemption, pursuant to Section 15331 for historical resource restoration/rehabilitation, for projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer.

PAST MHRB PERMITS: 93-21 paint and repair; 2002-25 demolition, reconstruct and remodel; 2003-15 add windows; 2004-29 minor changes-paths, eyebrows, and roof; 2006-35 extend chimney, vestibule, lpg tank, restore carriage house, deck remodel.

HISTORIC ORDINANCE STANDARDS: The Mendocino Historical Preservation District Ordinance provides standards for the MHRB to consider when reviewing application. Relative to this application, the following issues are raised and should be addressed:

- ✓ Building Size, Height, Proportions and Form
- ✓ Relationship of Building Masses and Open Spaces
- ✓ Relationship to Surrounding Structures
- ✓ Materials and Textures
- ✓ Architectural Details and Style
- ✓ Facade Treatment
- ✓ Proportions of Windows and Doors
- Landscaping
- ✓ Roof Shape
- ✓ Color(s)
- Sign Size
- Number of Signs
- ✓ Placement/Location
- ✓ Lighting
- Paving/Grading

APPLICABLE SECTIONS OF MHRB GUIDELINES: pages 6, 7, and 9. Sections VI. Site Development Guidelines and VII Structural Guidelines.

STAFF NOTES: The project complies with most of the development standards of the Chapter 20.652 MTR Zoning District and Chapter 20.704 Accessory Use Regulations (see Table 1).

The applicant proposes to relocate an existing structure that is nonconforming regarding setback. Relocating the structure would allow for the proposed new building footings to be constructed within the boundaries of the lot and not project into the adjoining parcel. The proposal is to shift the building two feet from the side and rear property lines, but this leaves the building located within the required 6-foot side yard setback and 10-foot rear yard setback. The applicant is not proposing to continue a long-standing nonconforming building setback. The applicant is requesting that the Board consider and grant a "Concurrent Variance" pursuant to Section 20.724.010 *Original Jurisdiction*. This section states that "Setback and building height exceptions reviewed by the Review Board are not subject to the requirements of [Chapter 20.724 Variances]."

Table 1: MRM District Regulations and Accessory Use Regulations		
MTZC SECTION	STANDARD	PROPOSED
20.652.010(A) Permitted Residential Use Type	Single-Family Residential	Single-Family Residential
20.704.015(G) Accessory Living Unit	Limit 1	1
20.652.030 Minimum Front and Rear Yards	10-feet	2-feet (rear yard)
20.652.035 Minimum Side Yard	6-feet	2-feet
20.652.045 Maximum Building Height	28-feet	16.75-feet
20.652.055 Maximum Lot Coverage	25%	37% (no change)
20.652.070 Additional Requirements	Prohibit conversion of residential structure to non-residential use	Not proposed

REQUIRED FINDINGS: The Historical Review Board shall not approve or conditionally approve any application for proposed work unless it affirmatively makes the following findings:

- (a) The exterior appearance and design of the proposed work is in harmony with the exterior appearance and design of the existing structures within the District and with that of existing subject structure, if any; and

- (b) The appearance of the proposed work will not detract from the appearance of other property within the District;
- (c) Where the proposed work consists of alteration or demolition of an existing structure, that such work will not unnecessarily damage or destroy a structure of historical, architectural or cultural significance; and
- (d) Strict compliance with the building setback requirements would have adverse impacts to community character, historic structures, open space or public views.

STANDARD 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 years after the effective date except where construction, and or use of the property in reliance on such permit, has 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.

The Review Board's action and this permit will not be final and effective and work may not commence on the project until after a ten-day appeal period has ended. You will be notified if a timely appeal is filed.

Appeal Fee: \$1, 040.00 (Check payable to County of Mendocino)

Appeal Period: Appeals must be received by the Clerk of the Board of Supervisors within 10 days of Review Board action.