



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482
120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437

Steve Dunicliff, Director
Phone: 707-234-6650
Fax: 707-463-5709
Ft. Bragg Phone: 707-964-5379
Ft. Bragg Fax: 707-961-2427
pbs@co.mendocino.ca.us
www.co.mendocino.ca.us/planning

MEMORANDUM

DATE: March 7, 2016
TO: Mendocino Historical Review Board
FROM: Planning and Building Services Staff
RE: **Agenda Item 10a: MHRB 2015-0019 Kelley House Water Storage Tank Enclosure**

PBS is seeking direction and requesting comments about a proposed change to the approved MHRB 2015-0019 Permit for a water storage tank located at 45007 Albion Street, Mendocino. PBS advises the Review Board that an application to modify MHRB 2015-0019 Permit has not been filed. Agenda Item 10a is not an action item, as it is on the agenda as a matter from Staff. PBS is seeking direction from the Board on this matter.

On August 3, 2015, the Review Board approved a water storage tank and enclosure, citing specific conditions including limiting the height of the water storage tank and the construction of the tank's enclosure, which is intended to screen the tank. Attached is an August 17, 2015 Mendocino Historical Review Board Permit.

During the winter, PBS Staff observed that the installed water storage tank and its screen exceeded the height of the existing fence along Albion Street. PBS Staff conferred with William Lemos on January 8, 2016 about the height of the water tank, its enclosure, and other matters. Dr. Lemos and PBS Staff agreed to discuss the matter with the Review Board during its February 4, 2016 meeting and it was placed on the Agenda under "Matters from Staff."

Based upon comment's made during February 4, 2016, MHRB Meeting, the PBS Staff learned that the height of the fence is now taller than it was on August 3, 2015 (when the Review Board conducted a site view and approved the permit for the water storage tank and its enclosure). During the February Meeting, the Review Board requested to have the matter continued to its March Meeting and to conduct a site view on March 7, 2016. Attached is PBS correspondence dated February 4, 2016 and a response from Dr. Lemos dated February 11, 2016.

At a future date, the Kelley House Museum may request a MHRB Permit for an after-the-fact approval of the installed water storage tank, its enclosure, and the height of the fence along Albion Street. Review Board comments will provide PBS direction about after-the fact permits, water storage tank height limits, and tank enclosures (or screens) at this location and others throughout the Town.

Attachments:

MHRB 2015-0019 Permit Kelley House Water Storage Tank
Correspondence dated February 4, 2016 to Mr. and Mrs. William Lemos
Correspondence dated February 11, 2016 to Ms. Cherry

Post Office Box 944
Mendocino, CA 95460

February 11, 2016

RE: MHRB 2015-0019

RECEIVED

FEB 16 2016

PLANNING & BUILDING SERV
FORT BRAGG CA

Dear Ms. Cherry:

Thank you for your letter of February 4, 2016, regarding the referenced MHRB permit. The Kelley Pond Committee met yesterday and requested me to respond to you regarding the issues you note in your letter.

We are seeking MHRB approval for the tank enclosure based on the following factors:

- 1.) The storage tank enclosure is now at the height of the existing fencepost on Albion Street.
- 2.) Several much taller fences exist on Albion Street, one the west side of the tank storage area, another in the parking lot of the MacCallum House, another just further west down the street.
- 3.) We purchased a shorter 2500 gallon tank (down from the permitted 3000 gallons) to better meet the height requirement of the permit.
- 4.) Digging the tank deeper into the ground would not allow water to be released from the outlet valve, as it would then be over 18 inches below grade.
- 5.) The lathe covering for the tank must be high enough to allow a fire hose to be put into the opening on the top of the tank.

Given these accommodations and limitations, we respectfully request to have the tank enclosure permitted as approved. Members of the Pond Committee will attend the meeting on March 7, 2016, to answer any questions the Review Board may have about this permit.

Please include the tank enclosure as one of the site visits before the meeting on March 7th. We would be happy to meet you there.

Sincerely,



William Lemos, PHD
Kelley Pond Committee, Chair



COUNTY OF MENDOCINO
DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET • UKIAH • CALIFORNIA • 95482
120 WEST FIR STREET • FT. BRAGG • CALIFORNIA • 95437

STEVE DUNNICLIFF, DIRECTOR
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

February 4, 2016

COPY

Mr. and Mrs. William Lemos

PO Box 944

Mendocino, CA 95460

RE: MHRB 2015-0019 Kelley House Museum Water Storage Tank Permit

Dear Bill and Marilyn,

I am writing to you, and the Kelley House Museum, as you are named agents on application MHRB-2015-0019, which is approved to install a plastic 3,000 gallon water storage tank. Please find a copy of the MHRB Permit approval attached.

PBS staff met with Jill Jahelka and Bill on January 8, 2016, principally to discuss applications for approval of the Kelley House Pond restoration. During this meeting, I mentioned that the installed water storage tank did not comply with the conditions of MHRB approval. Some alternative site solutions were suggested and site constraints detailed. One of the alternatives put forward is to raise the height of the existing fence to better screen the water tank enclosure. I mentioned that this might be a plausible alternative to the current installation, but that the approved MHRB Permit specified the height of the storage tank's enclosure as not to exceed the height of the *existing* fence. PBS recommends seeking MHRB approval for any deviation from the approved MHRB Permit.

Following the meeting, I called Bill and offered to discuss the alternatives and site constraints during the next MHRB meeting on February 4, as a "Matter from Staff." Please note, that while the Board cannot take action on a "Matters from the Staff" item, they can discuss agenda items. (MHRB has continued the February 1, 2016, Matters from Staff Item 10.a to the next meeting scheduled MHRB Meeting on March 7, 2016.) The Board's discussion about MHRB 2015-0019

should provide the Kelley House Museum Inc. with instruction for a future MHRB application wherein the Board would consider a change to the currently approved water storage tank installation.

PBS remains supportive of the Kelley House endeavors to provide a reliable water source for the newly installed fire hydrant on Main Street. The outcome of this effort will significantly benefit the Town. While at this time the process of seeking project approval may appear cumbersome, please be assured that PBS staff is available to support this endeavor wherever possible.

Cordially,



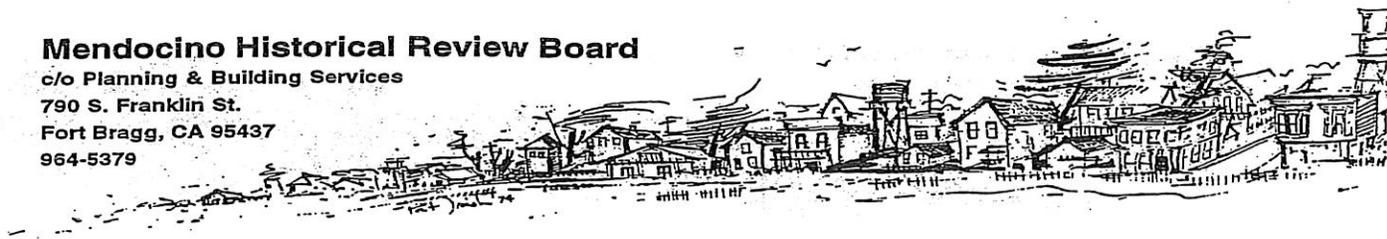
Juliana Cherry

enclosure: copy of MHRB 2015-0019 Permit

cc: Kelley House Museum, PO Box 922, Mendocino, CA 95460
Steve Dunicliff, Director
Andy Gustavson, Chief Planner
Bill Kinser, Senior Planner
MHRB 2015-0019 file

Mendocino Historical Review Board

c/o Planning & Building Services
790 S. Franklin St.
Fort Bragg, CA 95437
964-5379



MENDOCINO HISTORICAL REVIEW BOARD PERMIT

Applicant: Mendocino Historical Research, Inc.
Kelly House Museum
P.O. Box 922
Mendocino, CA 95460

Date: August 17, 2015
Permit: MHRB #2015-19

On August 3, 2015, the Mendocino Historical Review Board granted this permit: Installation of a plastic 3,000 gallon water storage tank in the northwest corner of the Kelley House Museum property. The tank will be placed on a concrete slab or sand and recessed into the ground so that the top of the tank is level with the existing fencing on Albion Street. Wood fencing will be placed around the tank. A concurrent variance is granted for a reduction in the required side yard from six (6) feet to two (2) feet and the required rear yard from ten (10) feet to two (2) feet. All feasible measures will be taken to capture rainwater from adjacent properties. The top of the tank will be hidden by a wood lattice and be situated below the existing fence line adjacent to the proposed tank. *Subject to standard conditions and findings.*

The project is located at 45007 Albion Street (APN: 119-238-17).

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.

Issued on behalf of the Mendocino Historical Review Board.

By: _____
Bill Kinser
Executive Secretary

DATE