

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(408) 427-4863
HEARING IMPAIRED: (415) 904-5200

**Th 96****STAFF REPORT: CDP APPLICATION
REGULAR CALENDAR**

Filed:	9/22/97
49th day:	11/10/97
180th day:	3/21/97
Staff:	DC-SC
Staff report:	10/15/97
Hearing date:	11/4-7/97

Application number 3-97-066, Dormody House Demolition**Applicant..... Pamela Smith and Michael Dormody****Project location 2nd parcel south of 12th Avenue on the west side of Dolores Street in the City of Carmel-by-the-Sea, Monterey County (APN: 010-171-002).****Project description Demolition of a single-family home and carport.****Local approvals rec'd Planning Commission 8/13/97; CEQA: Categorically Exempt (3a)****File documents..... City of Carmel LCP Land Use Plan (certified 4/1/81); City of Carmel administrative staff report (RE 97-12); City of Carmel Categorical Exclusion (E-77-13).****Staff recommendation Approval with standard conditions**

Staff Summary: Staff recommends approval subject to standard conditions (only). The main issue with the proposed demolition is preserving the community character of Carmel consistent with the Coastal Act which protects this special visitor destination. The structure proposed for demolition contributes to the residential community character of Carmel through its architectural style as well as its historical relevance, having been built in 1910 for Dr. Daniel McDougal, a Carmel historical figure. The structure's historical significance, however, is tempered given that (1) the original structure has been substantially altered, (2) was nearly destroyed by a fire and rebuilt in 1975, and (3) the existing structure has not been voluntarily designated as a historic resource (and, as such, is offered no special protection in the Carmel municipal code). Accordingly, while the existing building's scale, design and historical associations all contribute to the kind of character that makes Carmel such a special visitor destination point, the same "Carmel cottage" character can be evoked through careful design replacement structures on the same site. Most residential development projects in Carmel do not require a coastal development permit, as they fall within the scope of a categorical exclusion adopted in 1977. The exclusion was based, in part, on the City of Carmel's rigorous design review procedures. These procedures will apply to any replacement structures on the site (two are contemplated), and should result in new structures that are in keeping with the community and visual character of Carmel.

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1. STAFF RECOMMENDATION ON COASTAL DEVELOPMENT PERMIT

The staff recommends that the Commission, after public hearing, adopt the following resolution:

Approval with Conditions. The Commission hereby grants a permit for the proposed development, as modified by the conditions below, on the grounds that the modified development will be in conformance with Chapter 3 of the California Coastal Act of 1976 (Coastal Act), will not prejudice the ability of the City of Carmel to implement a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impact on the environment within the meaning of the California Environmental Quality Act (CEQA).

2. CONDITIONS OF APPROVAL

A. Standard Conditions (see Appendix A)

3. RECOMMENDED FINDINGS AND DECLARATIONS

A. Project Description

All of the City of Carmel-by-the-Sea is located within the coastal zone with the subject site located approximately 1,500 feet from the shoreline on Dolores Street. This area of Carmel is exclusively residential and the subject location is surrounded on all sides by single lot single-family dwelling (SFD) development. The structures proposed for demolition occupy a property which spans 3 lots of record (see Exhibits B-1, B-2, B-3).

The applicant proposes to demolish all structures and related hardscape (i.e., patios and walkways) currently present on the subject site. Existing development includes a one-story SFD ($\pm 2,583$ square feet) and a carport (± 551 square feet) (see Exhibits C-1 & C-2). While the applicant has indicated that additional SFD development (i.e., two new houses) is contemplated following demolition, only the demolition is currently before the Commission.

While the City of Carmel has a certified Land Use Plan (LUP), it has not yet completed the implementation phase of its Local Coastal Program (LCP). In the meantime, the City has been granted a broad categorical exclusion (E-77-13) which, among other things, exempts most residential development from coastal permitting requirements. Demolition, however, is not exempted through the exclusion order. As a result, the Commission is responsible for the coastal development permit for the proposed demolition, but any additional development that may be proposed in the future on the subject site would be permitted solely by the City of Carmel.

B. Issue Discussion

1. Preserving Community Character

Sections 30253 and 30251 of the Coastal Act address the issue of preserving the community character of special communities such as Carmel:

30253(5): *New development shall where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.*

30251: *The scenic and visual qualities of 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 land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality on visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

These Coastal Act sections as they apply to the proposed project require the protection of the unique community and visual character of Carmel. The City of Carmel is a very popular visitor destination as much for its quaint residential architecture as its renowned commercial shopping area and white sand beaches. Carmel is made special by the style and character of development within City limits. In particular, as a primarily residential community, residential development in Carmel plays a key role in defining the special character of the area.

The Executive Director has typically approved coastal development permit waivers for residential demolitions in Carmel. However, in this case, the proposed demolition has a historical context and a routine waiver was judged not appropriate by Commission staff. In order to minimize any risk to the special community character of Carmel, and to provide the opportunity for full public participation on this matter, this application is before the Commission.

Historical status

The subject site has been identified as significant by the Carmel Historic Survey. According to the Historic Survey, the 1910 Craftsman-style bungalow proposed for demolition was built by M.J. Murphy for Dr. Daniel McDougal as his summer home. Dr. McDougal was a distinguished botanist who established the Carnegie Institute's Coastal Laboratory in Carmel (the laboratory closed in the 1940s). The McDougal residence was used as a summer home until 1921 when Dr. McDougal became a year-round resident in the Carmel Highlands (see Exhibits D-1 through D-4).

While the SFD proposed for demolition has been identified as a candidate for historic designation, the property owner has not proposed to volunteer the structure for designation. In Carmel, structures which have been voluntarily designated as a historic resource enjoy certain protections from demolition. Without such voluntary consent, as is the case with this application, the subject site is not offered any special protection by the Carmel Municipal Code.

In addition, the structures proposed for demolition are not the original structures on the subject site. The applicant has stated that major portions of the house were first developed in the 1940s with substantial alterations and remodeling taking place through the 1950s. Moreover, as described by the applicant, and as included in the City of Carmel Planning Commission record, the house was nearly destroyed by a fire and rebuilt in 1975 (see Exhibit E). While the home retains design elements similar to the earlier residence, the majority of the structural materials themselves have no historic significance.

Conclusion

The architectural style of the existing SFD proposed for demolition contributes to the overall community character of Carmel. With its mass and scale, wood shingled exterior, mullioned windows and french doors, the existing dwelling contains the type of design elements for which residential Carmel is famous. The house, however, has no foundation, extensive dry rot, extensive termite damage, and requires comprehensive structural repair (see Exhibit F). The applicant's proposal for demolition is in recognition of these, and other, shortcomings associated with the existing structure.

Over time, the cumulative loss of many such structures could negatively impact the special character of Carmel contrary to Coastal Act Sections 30251 and 30253. However, in this case, while the existing building's scale, design and historical associations all contribute to the kind of character that makes Carmel such a special visitor destination point, the same "Carmel cottage" character can be evoked through careful design replacement structures on the same site. The City of Carmel has a rigorous design review procedure, the purpose of which is to ensure that new residential structures continue the special community character of residential Carmel. Therefore, it is expected that any structures that will be permitted in the future on the subject site will complement the overall area with architecturally attractive designs proportional to others nearby. While not currently before the Commission, the applicant has stated their intention is to build 2 SFD's, one single-story, on the three lots that together would have approximately the same structural footprint of the one existing SFD. It is unlikely that the City would risk revocation of its categorical exclusion by approving replacement structures which do not conform to the desired standard.

Given that (1) the existing structure has been substantially altered and was mostly replaced in 1975 after a fire, (2) the existing structure has not been voluntarily designated as a historic resource (and, as such, is offered no special protection in the Carmel municipal code), (3) the structural deficiencies of the existing building are severe, and (4) the City's architectural review process is expected to result in appropriately-designed replacement structures, the alternative of preserving the existing house does

not appear warranted. Therefore, the proposed demolition is consistent with sections 30253 and 30251 of the Coastal Act.

2. City of Carmel Local Coastal Program

Section 30604 of the Coastal Act states in part that a coastal development permit shall be granted if the Commission finds that the development will not prejudice the local government's ability to prepare a Local Coastal Program (LCP) in conformity with the resource protection policies of the Coastal Act. The entire City of Carmel falls within the coastal zone. The Land Use Plan (LUP) for the City of Carmel has been certified by the Commission (4/1/81), however, the City has not yet completed the implementation phase of their LCP.

The LUP includes a proposed list of significant buildings (LUP Appendix 1) but the project site is not found on this list. Any implementation framework would be expected to include the LUP significant building list and/or the list of structures that have been historically designated by the property owner. Given that the proposed site is not present on either of these lists, and that the replacement structures are expected to be in keeping with the existing community character (by virtue of the City's design review process), the proposed project conforms to the policies of the certified LUP and will not prejudice the City's ability to complete its LCP in accordance with Coastal Act requirements.

3. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. This report has examined the relevant issues in connection with the environmental impacts of this proposal. The Commission finds that, for the reasons stated above, the proposed project not have any significant adverse impacts on the environment within the meaning of CEQA.

Exhibits

- A: Standard Conditions
- B: Location
- C: Site Plan
- D: Historical Survey
- E: Structural History
- F: Structural Damage

Exhibit A. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT NO. A
APPLICATION NO. 3-93-066
STANDARD CONDITIONS

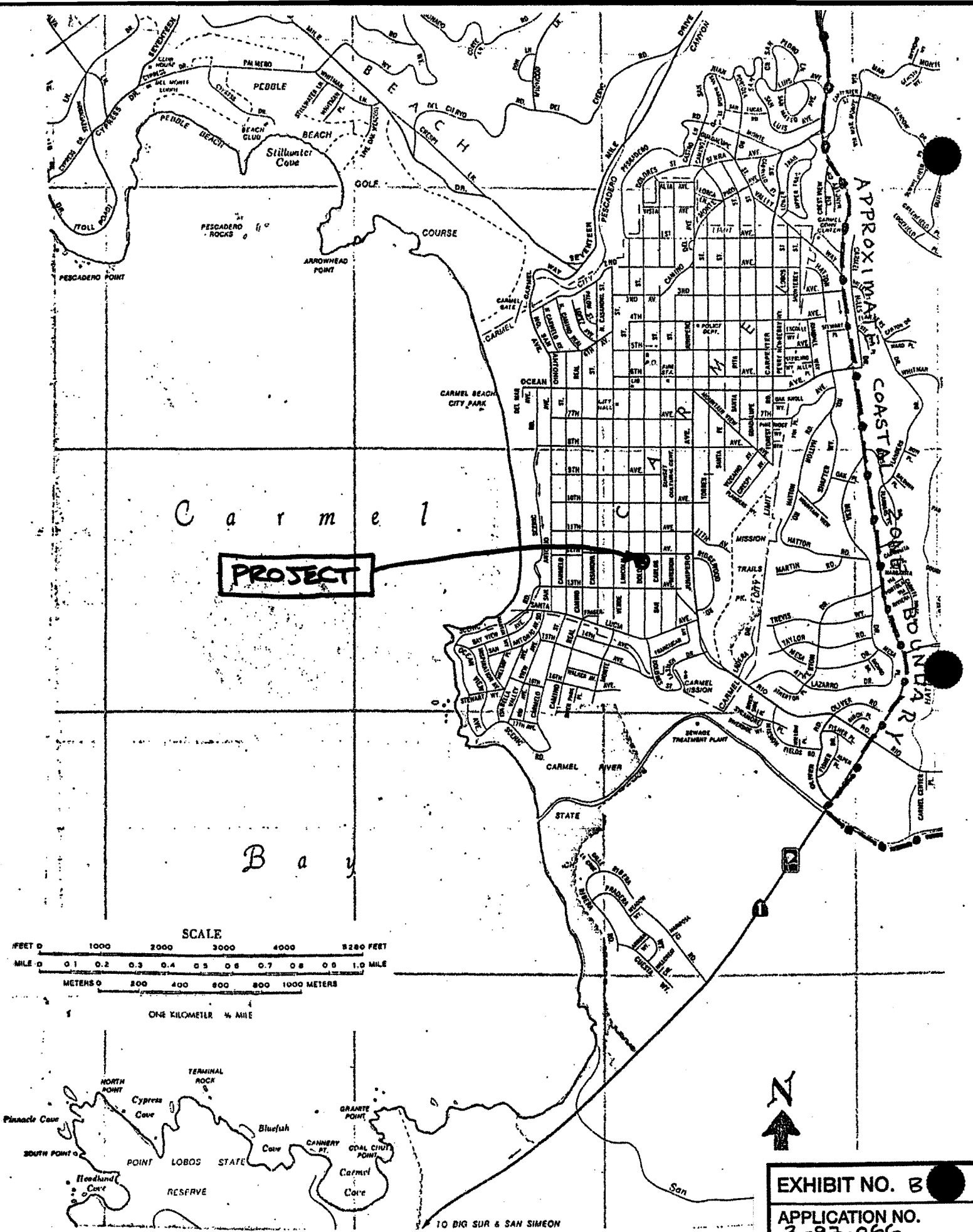


EXHIBIT NO. B
APPLICATION NO. 3-97-066
AREA LOCATION

APPLICATION NO.
3-97-066

CARMEL BY THE SEA ADD'N. 2
BLOCKS 134, 135, 136, 144, 145 & 146



EXHIBIT NO. C-2

APPLICATION NO.
3-97-066

EXISTING ELEVATIONS

PRIMARY RECORD

Primary # _____
HPI # _____
Trinomial _____
NRHP Status Code 5S1

Other Listings _____
Review Code _____ Reviewer _____ Date / /

Page 1 of 2

*Resource Name or #: AP#10-171-01 MacDougal Home - Binder #2

P1. Other Identifier: Carmel Historic Survey

*P2. Location: ☐ Not for Publication ☒ Unrestricted a. County Monterey

b. USGS 7.5' Quad _____ Date _____ T _____ R _____ 1/4 of _____ 1/4 of Sec _____ B.M. _____

c. Address S/W Corner Dolores and 12th City Carmel Zip 93921

d. UTM: (Give more than one for large and/or linear feature) Zone _____ mE/ _____ mN

e. Other Locational Data: (e.g. parcel #, legal description, directions to resource, elevation, additional UTM's, etc. as appropriate)

Block 136, Lots 3, 5, 7

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)

L-shaped shingled house with Carmel stone patio facing southeast. Shingle roof, brick chimney at east end of east wing; another at south end of south wing. Medium gable roof, projecting boxed cornices with open rafters. Several mullioned French doors opening to patio. Main front door of wood faces north, with Carmel stone stoop. Slanted mullioned bay windows to west of front door. Row of four mullioned windows on south side of east wing. Property has several large Monterey pines, pruned well up.

This 1910 Craftsman bungalow was inspired by early adobe structures, built of economic materials around a central courtyard, and represents a formula for relaxed and gracious living. The house has a series of spaces one room deep, arranged around a chalk rock patio. The walls are clad in shingles and the roof, also wood shingled, has projecting open rafters. There are ribbons of mullioned casements and French doors around the inside of the L and four mullioned windows and a slanted bay in the front.

The house was built by M.J. Murphy for Dr. Daniel McDougal as his summer house. Dr. McDougal, a plant physiologist and the leading American authority on desert ecology, established Washington's Carnegie Institute in Tucson, Arizona to study desert cycles and plant life. In 1909 he came to Carmel to establish a second facility called the Coastal Laboratory to expand the study of plant physiology. He was once quoted as saying that the fence around his house was built by "some of the finest minds in America" after a summer of visits by many prestigious visitors. (181).

EXHIBIT NO. D-1

APPLICATION NO.
3-97-066

HISTORICAL SURVEY

Photo Number: 10-171-01

July 1990

*P6. Date Constructed/Age and Sources:
☐ Prehistoric ☒ Historic ☐ Both
1910

*P7. Owner and Address:
Pamela Dormody Smith
P.O. Box 22255
Carmel, CA 93922

*P8. Recorded by: (Name, affiliation, address)
Carmel Historic Survey
P.O. Box 3959
Carmel, CA 93921
Hulda Bonestell

*P9. Date Recorded: 05/23/1997

*P10. Survey Type: (Describe)
Intensive
Volunteer
C--Comprehensive Survey

*P11. Report Citation: (Cite survey report/other sources or "none") Leslie Heumann/Glory Ann Laffey
Historic Context Statement

*Attachments: ☐ NONE ☐ Location Map ☐ Sketch Map ☐ Continuation Sheet ☒ Building, Structure and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record
☐ Photograph Record ☐ Other: (List) _____

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 2

*NRHP Status Code 5S1

*Resource Name or #: AP#10-171-01 MacDougal Home - Binder #2

B1. Historic Name: McDougal Home

B2. Common Name: Dormody's

B3. Original Use: Residential

B4. Present Use: R--Residential

*B5. Architectural Style: Craftsman

*B6. Construction History: (Construction date, alterations, and date of alterations.)

Built 1910, 9/1920 #154 Permit

4/1922 #377 Permit, 10/1923 #683 Permit

8/1924 #812 Permit

*B7. Moved? ☒ No ☐ Yes ☐ Unknown Date: _____ Original Location: _____

*B8. Related Features:

B9a. Architect: None

b. Builder: M.J. Murphy

*B10. Significance: Theme Residential Architecture

Area Carmel-by-the-Sea

Period of Significance 1900-1940

Property Type Residential

Applicable Criteria

MC 1, 3, 4, 5

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

This Craftsman style cottage was built for Dr. Daniel T. MacDougal by M.J. Murphy. Dr. MacDougal was a distinguished botanist and a leading authority on desert ecology. As a scientist, he was known the world over and he was also an inventor. The MacDougal dendrograph machine was one of his inventions which was used for automatic recording of volume changes in tree trunks. The second Carnegie Institute of Washington Desert Botanical Laboratory was established in Carmel by the doctor to expand the study of plant physiology.

When the doctor decided to build a home in Carmel for the summer use of his family, he chose M.J. Murphy, a local builder who was to have a major impact on the architectural shaping of Carmel's homes. Murphy not only built the houses, but he also used his own designs. His passion for the best, using quality materials, has resulted in solidly built homes. The MacDougal residence was completed in 1910 and used as a summer home until 1921. A new home was built in the Carmel Highlands, and when Dr. MacDougal retired in 1933, he then became a year-round resident at his Highlands home. He was active in community affairs and one of his army involvements included president of the SPCA for 12 years.

The Carnegie Lab (in Carmel) continued in operation until World War II. It closed in the early 1940's. All operations today are at the Carnegie Institutes Department of Plant Biology at Stanford University.

B11. Additional Resource Attributes: (List attributes and codes) HP2. Single Family Property

*B12. References:

Herald: 10/29/78

Historic Houses Brochure, 1993

Extensive research by Lucette Kenan, 1993

B13. Remarks:

Zoning: R-1

*B14. Evaluator: Enid T. Sales

Date of Evaluation: 05/31/1996

(This space reserved for official comments.)

(Sketch Map with north arrow required)

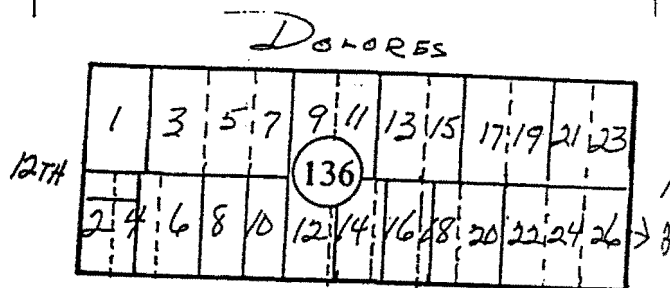


EXHIBIT NO. D-2

APPLICATION NO.
3-97-066

HISTORICAL SURVEY

**CARMEL ARCHITECTURAL AND HISTORIC SURVEY
COMPREHENSIVE RESEARCH FORM**

DISTRICT 13 SOUTH PRELIMINARY EVALUATION SIGNIFICANT
I. BACKGROUND INFORMATION
Location description: S.W. CORNER DOUGLASS & 12TH
Block, Lot, and Addition: BLK 136, LOTS 1, 2, 3, 4, 5, 6, 7
APN: 10-171-1
Optional information:
Lot dimensions: 100x120 Sq. feet: 12000 Zoning: R-1
Historic name: MCDUGALL HOME
Current owner: PAMELA DORMODY SMITH
DPR 523 (11/85) V Preliminary: _____ Final: _____
DPR 523 (6/90) _____ Preliminary: _____ Final: _____
Preliminary evaluation applicable criteria:
MC 17.411: Y-3-4-6 National Register: _____
Previous documentation: MPC _____ Preliminary ID: *

II. PERMITS - OLDEST OR ORIGINAL BUILDING PERMIT
Date of First Improvement: 1910 F
First permit #: _____ Cost: _____
Owner: DR. DANIEL MCDUGALL
Builder: M.J. MURPHY
Architect: _____
Description of improvement:
Bungalow
Source of permit: City Hall

ALTERATION PERMITS (CITY HALL):
Note permit number, date, and source; owner; contractor;
architect; description of work; cost:
154 - SEPT. 1920 - (C.H.) ELIZ. WILLIAMS - \$2500.00 (LOTS 1 & 2)
377 - APR. 1922 (C.H.) HAZEL AYER - \$300.00 (Lot 7)
683 - OCT. 1923 (C.H.) ELIZ. WILLIAMS - \$700.00 (LOT 5)
812 - AUG. 1924 (C.H.) ELIZ. WILLIAMS - \$2800.00

DATE OF FIRST IMPROVEMENT (COUNTY TAX COLLECTOR, SALINAS):
Microfilm is organized by year. Trace property backwards
or forwards in time to discover the first year an improve-
ment value is assessed. For each year (or block of years)
researched, note:
Year Block & Lot Owner Value land Value improvement

III. HISTORIC SOURCES
Sanborn Maps (First Murphy) 1910 MEH 1924 YES 1930 YES
Miscellaneous Sources (First Murphy)
Gray Block Book (circa 1905): MCDUGALL/WILLIAMS
Red Thomas Guides (circa 1930): WILLIAMS
1912 Assessment Book (note owner, lot, block,
value of improvement):
C. Dev Co - Rts 21 & 22 100' x 120'
City Directories (Libraries) _____

* 519, Dist. or Both

EXHIBIT NO. D -

APPLICATION NO.
3-77-066

HISTORICAL SURVEY

HISTORIC INFORMATION

References (Park Branch Library)

Attach. Be sure photocopies contain source reference.

A. Pine Cone:

B. Carmelite (1928-32):

C. Carmel Cymbal (1936-42):

✓ D. Herald: 10/29/78 *McDaugh*

E. Interviews:

F. Oral History/Diaries:

G. Obituaries:

H. Books/Magazines:

✓ I. Common or Personal Knowledge:

J. OTHER: BROCHURE/HISTORIC HOUSES

V. HISTORIC ATTRIBUTES (with number from list):

102

VI. SIGNIFICANCE AND EVALUATION:

Context for evaluation: Theme: VILLAGE-BY-THE-SEAArea: Carmel-by-the-Sea Period: CRAFTSMANProperty type: R-1 Context formally developed?

VII. PREPARERS

Name of researcher: H. BONESTELLDate: 7/10/90

SURVEYOR

Name of evaluator: Date:

VIII. SURVEY IDENTIFICATION

Survey type: Comprehensive

Project related

Survey name: Carmel Architectural and Historic Survey

Year prepared: By (name):

Organization: Carmel Friends of Preservation

Address: P. O. Box 3959

Carmel, CA 93921

Phone: (408) 624-6835

"Period"

1900-1916 CRAFTSMAN

1916-1929 Golden Creativity

1928-1940 Revival Style

RI, COMM, N.C. HOTEL, RES/LTD COMM

EXHIBIT NO. D-4

APPLICATION NO.
3-97-066

HISTORICAL SURVEY

971 2666 B

MICHAEL H DORMODY
25425 DORMODY ROAD
CARMEL, CA 93923

To whom it may concern:

This is verification of the history of the Dormody family's home on 12th & Dolores, Carmel, California

I moved into the house in 1931 and lived there until 1952 when I went into the service. In 1941 the large wing of the house with one bedroom, one bathroom, and a closet (my sister's wing) was built. In about 1945, the wing on the northwest side consisting of one bedroom, one bath and a closet (my room) was built. Sometime before that period the kitchen was remodeled, dining room was enlarged, a glass flower porch was added, and a laundry room built. I do not recall when my brother's bedroom and bath was built. Dr. Dormody was always working on some part of the house. He enlarged the living room with a new fireplace and chimney in the 1950's.

During the early 1970's the home caught fire and approximately 90% of the house was gutted. Daniel and House Construction rebuilt most of the structure at that time. The house was reroofed the third time in the early 1990's. There is probably 10% or less of the original house now standing. I was recently told when the house was built, it was stucco. I have no recollection of this via stories or photos or conversation with my parent.

I can't say this is any original historic house due to all the major changes it has undergone during the last sixty years.

Michael Dormody
RECEIVED

AUG 29 1997

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

EXHIBIT NO. E

APPLICATION NO.
3-97-066

STRUCTURAL HISTORY

September 9, 1997

To whom it may concern:

I am a General Building Contractor and have recently inspected the Dormady property located on Dolores Street, in Carmel. This is a single-family residence with approximately 2700 square feet and is a shingle sided single level ranch style house. During my inspection, I went inside the residence and underneath in to the crawl space. Regarding the condition, the following items are those that need to be addressed immediately:

There is no foundation under the house with the exception of a few small sections.

Settling has occurred under the front left section of the house. It appears that there was inadequate structural support when the house was remodeled.

There is extensive dry rot around the back doors, windows, and much of the flooring.

The rafter tails are rotten. It appears that a newer shingle roof was placed over an existing older roof. (No record of a permit was found).

The back steps are falling away from the house.

I found many other troublesome areas, I would recommend a plumber and an electrician inspect the house.

I would suggest a structural engineer look at the residence. The house needs extensive work. I would be happy to supply estimates for repair work at your request.

Sincerely,

Phil Van Pelt
Contractor 276512

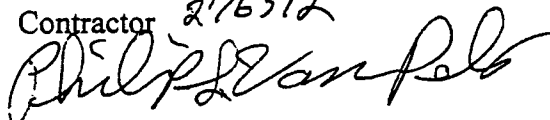


EXHIBIT NO. F
APPLICATION NO. 3-97-066
STRUCTURAL DAMAGE

