

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
710 E STREET, SUITE 200
EUREKA, CA 95501
(707) 445-7833



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ADMINISTRATIVE PERMIT

Page: 1 of 9

Date: June 25, 2004

Permit Application: 1-04-037

APPLICANT(S):

Jack & Linda Shearin

PROJECT DESCRIPTION:

Remodel an existing single-family residence by (1) converting an existing kitchen and dining area into an enlarged living space, (2) constructing a 459-square-foot addition for a new kitchen and dining area, (3) moving the hot tub to the northwest corner of the structure, (4) adding 160 square feet of decking with a 6' high by 8' wide privacy wall to the west and a 6' high by an 18' long glass enclosure to the north for wind protection, and (5) installing a 6' tall redwood picket fence constructed with 1½-inch-square pickets with 4½-inch gaps extending across the front of the property with a gate at the driveway and along both sides of the property to within 100' of the coastal bluff on the westernmost side, and within 65' on the easternmost side. The applicants are seeking after-the-fact authorization for the already installed wooden picket fence.

PROJECT LOCATION:

45604 South Caspar Drive, Caspar (Mendocino County) (APN 118-400-04)

EXECUTIVE DIRECTOR'S
DETERMINATION:

The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

DATE: July 14, 2004

PHONE: (714) 540-2500

TIME: Meeting begins at 10:00 a.m.

PLACE: The Westin South Coast Plaza, 686 Anton Blvd., Costa Mesa, CA

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER M. DOUGLAS
Executive Director

By: RANDALL STEMLER
Coastal Program Analyst



STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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 is not commenced, the permit will expire two years from the date this permit is reported to the Commission. 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit.

Subject to Standard and Special Conditions as attached, said development is in conformity with the certified Mendocino County Local Coastal Program, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Background and Project Description

1. Site

The project setting is in close proximity to Caspar Anchorage, a bay located west of the town of Caspar about halfway between the towns of Fort Bragg and Mendocino, on the Mendocino County coastline (Exhibit Nos. 1 and 2). The subject property is one of several blufftop parcels overlooking the southern portion of the bay, and is part of the Caspar South Subdivision consisting of approximately 110 parcels. The 0.8-acre subject property is currently developed with a two-story, 1,684-square-foot, single-family residence with an attached 904-square-foot garage, a hot tub, and deck

previously permitted by the Executive Director in 1990, under administrative Coastal Development Permit No. 1-90-88. The area is not designated on the certified Land Use Map as highly scenic.

2. Background

The submitted application seeks to modify the project approved under administrative Coastal Development Permit No. 1-90-88 to add the improvements discussed below. The original permit was issued with one special condition to require the recommendations of the geologic report to be implemented, specifically the 45-foot blufftop setback. Pursuant to Section 13165 of the Commission's regulations, amendments to administrative permits may be approved by the Executive Director upon the same criteria and subject to the same reporting requirement and procedures provided for the original issuance of such administrative permits. As proposed, the new development meets the criteria for processing the application as an administrative permit.

The Coastal Commission effectively certified Mendocino County's LCP in October of 1992. Pursuant to Section 30604 of the Coastal Act, after effective acceptance of a certified LCP, the standard of review for all coastal permits and permit amendments for development within the certified area that is located between the first public road and the sea is the certified LCP and the public access policies of the Coastal Act.

3. Project

Principal elements of the proposed remodeling project include converting the existing kitchen and dining area into an enlarged living space, and constructing an addition of 459-square-feet for a new kitchen and dining area. The applicants propose to move the existing hot tub to the northwest corner of the residential structure, and install 160-square-feet of decking in the vicinity of the hot tub, as well as a six-foot-high by eighteen-foot-long, non-reflective glass enclosure to the north of the spa for wind protection. An equal amount of existing decking (160-square-feet) would be removed from the location where the proposed new kitchen and dining addition would be constructed. The proposed additions and modifications to the existing development would maintain heights and proportions compatible with the existing residence. None of the additions would exceed the existing height of the residence. The exterior finishes would match the existing colors. The proposed development would maintain the previous required geologic setback of 45 feet from the edge of the coastal bluff, and would not be located any closer to the edge of the bluff than the existing approved development. Additionally, the applicants are seeking after-the-fact authorization for construction of a six-foot-tall, redwood picket fence along the north and south property lines and across the front including an entry gate. The westernmost fence line runs 176 feet from the south property line and stops 100 feet from the bluff edge. The easternmost fence line runs 168 feet from the south property line and stops 65 feet from the bluff edge. Fence color matches the

color scheme of the existing dwelling. The fence is designed to be "see-through" with 1½-inch-square pickets and 4½-inch gaps between the pickets (Exhibit No. 4).

B. Geologic Hazards

The certified Mendocino County LUP includes Section 3.4-7, which states:

The County shall require that new structures be set back a sufficient distance from the edges of bluffs to ensure their safety from bluff erosion and cliff retreat during their economic life spans (75 years). Setbacks shall be of sufficient distance to eliminate the need for shoreline protective works. Adequate setback distances will be determined from information derived from the required geologic investigation and from the following setback formula:

$$\text{Setback (meters)} = \text{Structure life (years)} \times \text{Retreat rate (meters/year)}$$

The retreat rate shall be determined from historical observation (e.g., aerial photographs) and/or from a complete geotechnical investigation.

All grading specifications cited in the Uniform Building Code or the engineering geologists report.

A geotechnical analysis was performed and a report was prepared in 1988 for the original construction of the existing residential development. The geologic report estimated that the coastal bluff would erode an average of 0.4 feet-per-year and called for a 45-foot blufftop setback. The house was constructed consistent with this requirement. On May 6, 2004, staff conducted a site visit to review the currently proposed development and the current condition of the property relative to erosion and bluff retreat. Staff measured the distance from the coastal blufftop to the nearest portion of the existing structure and determined that even though there has been some bluff erosion at the site since 1988, the erosion appears to be consistent with the amount forecast in the geologic report. Because the proposed development would not extend further seaward than the existing development, and the new project would not create any new geologic risks, the Executive Director finds that the proposed development is consistent with the geologic setback requirements of the Mendocino County certified LCP.

C. Visual Resource Protection

The certified Mendocino County LUP includes Policy 3.5-1, which states in applicable part:

...The scenic and visual qualities of Mendocino county 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 in visually degraded areas.

LUP Policy 3.5-1 requires that scenic and visual qualities be protected as a resource of public importance, that permitted development be sited and designed to protect views to and along the ocean and scenic coastal areas, and be visually compatible with the character of surrounding areas.

The applicants are proposing new development that would include additions and modifications to an existing single-family residence located on a blufftop parcel overlooking the south side of Caspar Anchorage. The subject property and the surrounding area are not designated as highly scenic. The applicants have applied to convert their existing kitchen and dining area into a larger living area and construct a new kitchen and dining area by adding to the footprint of the current structure with a 459-square-foot expansion. Also, the hot tub would be moved from one side of the house to the other side and a new deck would be constructed, as well as a glass wind screen. Finally, the applicants are requesting after-the-fact authorization for constructing a 6-foot-tall, redwood picket fence. This fence extends along both sides of the parcel terminating within 100 feet of the bluff on the westernmost side, and within 65 feet on the easternmost side, and across the front with a gate at the driveway. The fence is designed to be "see-through" (Exhibit No. 4) with 4½-inch gaps between the 1½-inch square pickets. The applicants have received approval for their proposed development from the local architectural review committee of the South Caspar Homeowners Association. The project as proposed would not have significant adverse impacts on visual resources. The finished elevation above natural grade for the addition of the 459-square-foot structure to house the new kitchen and dining area would be below the height of the existing residential development. The building materials and color scheme for the new development would match the existing approved structure. The additions would slightly increase the footprint of the house, but would not result in any significant adverse impact on visual resources. The orientation of the new wind-screen enclosure around the hot tub would be north-facing, and as proposed, this 6-foot by 18-foot glass wall would use non-reflective glass. Due to the fact that the glass wall would face away from public vantage points and would be composed of non-reflective glass, the likelihood that the sun's reflection off of the glass wall causing glare that would adversely affect public views is minimal. The redwood picket fence matches the color scheme of the rest of the existing approved development, and because the fence was designed to be "see-through," and is no higher than 6 feet, the fence blends well with the character of the surrounding area.

Therefore, for all of the above reasons, the Executive Director finds that the proposed project would be sited and designed to protect views to and along the ocean and scenic coastal areas, and be visually compatible with the character of surrounding areas consistent with the visual resource protection requirements of LUP Policy 3.5-1 of the certified Mendocino County LCP.

D. Public Access

Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, with limited exceptions. Section 30210 of the Coastal Act requires that maximum public access shall be provided consistent with public safety needs and the need to protect natural resource areas from overuse. Section 30212 of the Coastal Act requires that access from the nearest public roadway to the shoreline be provided in new development projects except where it is inconsistent with public safety, military security, or protection of fragile coastal resources, or adequate access exists nearby. Section 30211 requires that development not interfere with the

public's right to access gained by use or legislative authorization. In applying Sections 30210, 30211, 30212, and the public access policies of the certified LCP, the Commission is also limited by the need to show that any denial of a permit application based on these sections, or any decision to grant a permit subject to special conditions requiring public access, is necessary to avoid or offset a project's adverse impact on existing or potential access.

The subject property is located in Caspar South Subdivision along a private road on the Mendocino County coastline between Highway One and the shoreline on a coastal terrace at the south end of Caspar Anchorage. Certified LUP Map No. 15 designates that public access should be acquired along South Caspar Drive. This road borders the subject parcel across the front of the property and leads from Point Cabrillo Drive out toward the headlands south of Caspar Anchorage, but does not provide pedestrian access to the shoreline. There is no beach at the base of the very steep and rocky bluff along this portion of the bay, however Caspar Beach State Park is a very popular beach with easy public access in the immediate vicinity.

The development as proposed to improve the existing single-family residence would not increase the demand for public access as it would not add any new residential units that would bring more people to the coast. There is no existing public access on the blufftop portion of the subject property that would be affected by the proposed development. Also, the portion of the wooden picket fence located along the street frontage for which the applicants are seeking after-the-fact authorization, is set back far enough from the street so that if access along South Caspar Drive is ever acquired for public use as called for by the note included on the certified LUP Map No. 15, the fence would not interfere with such access. Because the proposed development would not affect any existing access to the shoreline, or increase the demand for access to the shoreline, or preclude future acquisition of public access along South Caspar Drive, the Executive Director finds that the proposed development does not have any significant adverse impact on public access, and that the proposed development without new public access is consistent with the coastal access requirements of the Mendocino County certified LCP and Coastal Act Sections 30210, 30211, and 30212.

E. Water Quality

LCP Provisions

LUP Policy 3.1-25 states:

The Mendocino Coast is an area containing many types of marine resources of statewide significance. Marine resources shall be maintained, enhanced and, where feasible, restored; areas and species of special biologic or economic significance shall be given special protection; and the biologic productivity of coastal waters shall be sustained.

CZC Section 20.492.020 incorporates sedimentation standards and states in part:

(A) *Sediment basins (e.g., debris basins, desilting basins, or silt traps) shall be installed in conjunction with initial grading operations and maintained through the development/construction process to remove sediment from runoff wastes that may drain from land undergoing development to environmentally sensitive areas.*

- (B) To prevent sedimentation of off-site areas, vegetation shall be maintained to the maximum extent possible on the development site. Where necessarily removed during construction, native vegetation shall be replanted to help control sedimentation.*
- (C) Temporary mechanical means of controlling sedimentation, such as hay baling or temporary berms around the site, may be used as part of an overall grading plan, subject to the approval of the Coastal Permit Administrator.*
- (D) Design of sedimentation control devices shall be coordinated with runoff control structure to provide the most protection.*

Discussion

Storm water runoff from new residential development can adversely affect the biological productivity of coastal waters by degrading water quality. LUP Policy 3.1-25 requires the protection of the biological productivity of coastal waters. Section 20.492.020 of the Mendocino County Coastal Zoning Code sets forth sedimentation standards to minimize sedimentation of environmentally sensitive areas and off-site areas. Specifically, Section 20.492.020(B) requires that the maximum amount of vegetation existing on the development site shall be maintained to prevent sedimentation of off-site areas, and where vegetation is necessarily removed during construction, native vegetation shall be replanted afterwards to help control sedimentation.

As discussed above, the subject parcel is located on a coastal terrace atop a steep coastal bluff. Runoff originating from the subject development site that is allowed to drain over the bluff edge would contain entrained sediment and other pollutants in the runoff that would contribute to degradation of the quality of marine waters. Sedimentation impacts from runoff would be of greatest concern during and immediately after construction. Consistent with CZC Section 20.492.020(B), the Commission attaches Special Condition No. 3 to minimize erosion and sedimentation impacts from the proposed remodeling of the residence. Special Condition No. 3 requires that the applicants provide that (1) straw bales be installed to contain runoff from construction areas; (2) on-site vegetation be maintained to the maximum extent possible during construction, and (3) any disturbed areas be replanted or seeded with native vegetation following project completion. In addition, Special Condition No. 3 requires that all on-site stockpiles of construction debris be covered and contained to prevent polluted water runoff. No drainage would be allowed to flow over the bluff edge. To ensure that runoff from the completed house additions is controlled, Special Condition No. 3 requires that runoff from the roof and other impervious surfaces of the subject development be collected and directed into pervious areas on the site for infiltration and that velocity reducers be used on roof downspouts.

The Executive Director finds that as conditioned, the proposed development is consistent with Section 20.492.020 because erosion and sedimentation will be controlled and minimized by (1) maintaining on-site vegetation to the maximum extent possible; (2) replanting or seeding any disturbed areas with native vegetation following project completion; (3) covering and containing debris stockpiles at all times, (4) using straw bales to control runoff during construction, and (5) directing runoff from the completed house additions in a manner that would provide for infiltration into the ground. Furthermore, the

Commission finds that the proposed development as conditioned is consistent with the provisions of LUP Policy 3.1-25 requiring that the biological productivity of coastal waters be sustained because storm water runoff from the proposed development would be directed away from the coastal bluff.

F. Violation: Unpermitted Development

Without benefit of a coastal development permit, development has been undertaken since granting of the original permit on May 8, 1990, consisting of construction of a 6-foot-high redwood picket fence along the north and south property lines and across the front including an entry gate. The westernmost fence line runs 176 feet from the south property line and stops 100 feet from the bluff edge. The easternmost fence line runs 168 feet from the south property line and stops 65 feet from the bluff edge. The construction of the fence is development as defined by Section 20.308.035(D) of the CZC. In addition, pursuant to Section 20.532.020(C) of the Mendocino County Zoning Ordinance, the construction of fences and other significant non-attached structures on parcels located between the first through public road and the sea is not exempt from coastal development permit requirements. No coastal development permit was ever issued authorizing such development. Approval of the current permit application brings the wooden picket fence into compliance with coastal development permit requirements.

Consideration of the application by the Commission has been based solely upon policies of the Mendocino Local Coastal Program and the public access and recreation policies of the Coastal Act. Review of this permit application does not constitute a waiver of any legal action with regard to the cited alleged violation, nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal development permit.

SPECIAL CONDITIONS

Special Condition No. 1 of the original permit (Gallagher CDP No. 1-90-88) remains in full force and effect, and is included for reference below. Special Conditions Nos. 2 and 3 are new conditions attached to the permit amendment.

1. The recommendations of the geologic report shall be implemented, specifically the 45 foot bluff-top set-back will be followed. Any deviation from the recommendations of the geologic report will require an amendment to permit 1-90-88.
2. Performance in Accordance with Approved Plans

The permittee shall conduct the project in accordance with the proposal as set forth in the application for permit. No changes to the approved project shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Erosion Control and Protection of Water Quality

The applicant shall implement the following erosion and runoff control measures which will serve to minimize the volume and velocity of stormwater runoff leaving the subject development, and to capture sediment and other pollutants contained in stormwater runoff from the subject development, by facilitating on-site infiltration and trapping of sediment generated from construction:

1. A physical barrier consisting of bales of straw placed end to end shall be installed between any construction and bluff edges that are downslope of the approved construction. The bales shall be composed of weed-free rice straw, and shall be maintained in place throughout the construction period.
2. Vegetation at the site shall be maintained to the maximum extent possible and any disturbed areas shall be replanted or seeded with native vegetation immediately following project completion. No non-native invasive plants shall be used.
3. All on-site debris stockpiles shall be covered and contained at all times.
4. Runoff from the roofs of the house additions authorized herein shall be collected and directed into pervious areas on the site (lawn or other landscaped areas) for infiltration to the maximum extent practicable in a non-erosive manner, prior to being conveyed off-site. Where gutters and downspouts are used, velocity reducers shall be incorporated, to prevent scour and erosion at the outlet.

ACKNOWLEDGEMENT OF PERMIT RECEIPT / ACCEPTANCE OF CONTENTS:

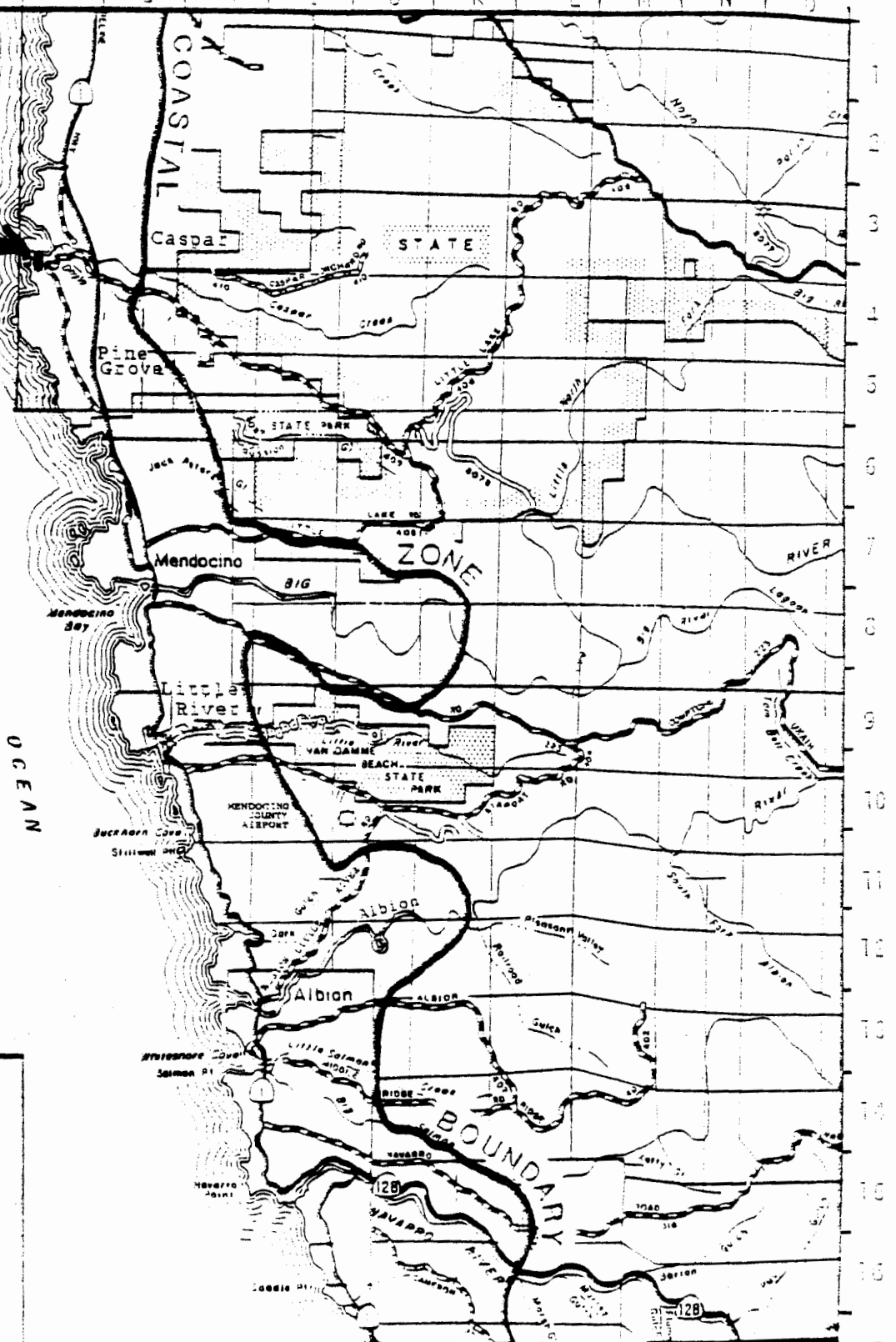
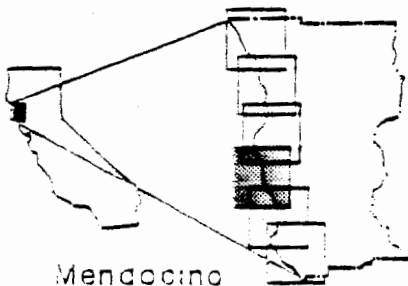
I / We acknowledge that I / we received a copy of this permit and have accepted its contents including all conditions.

Applicants' Signatures

Date of Signing

**PROJECT
SITE**

EXHIBIT NO. 1
APPLICATION NO.
1-04-037
SHEARIN
REGIONAL LOCATION
MAP



California Coastal Commission

LOCATION MAP



County of Mendocino

PROJECT SITE

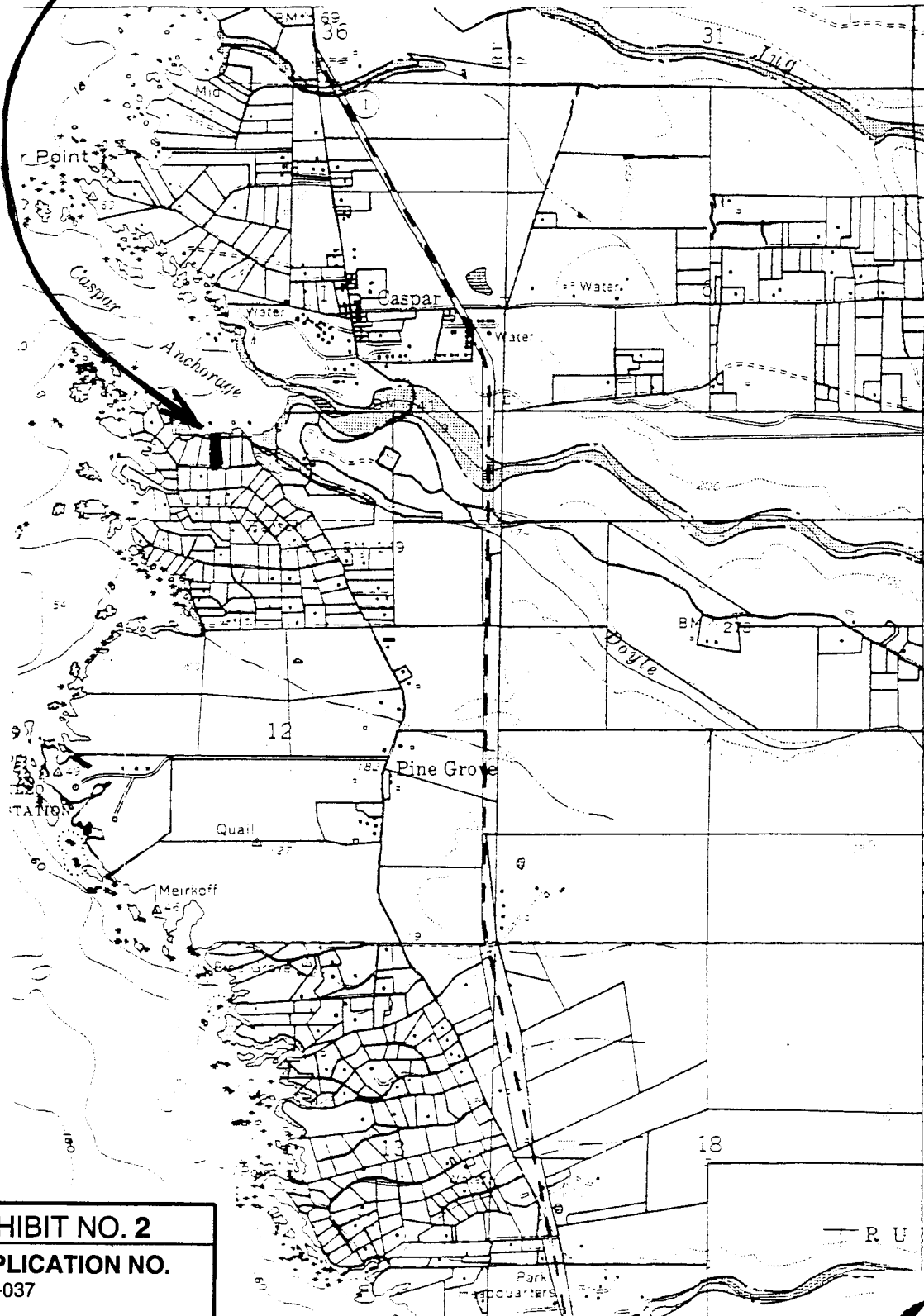


EXHIBIT NO. 2

APPLICATION NO.

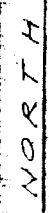
1-04-037

SHEARIN

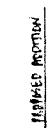
VICINITY MAP



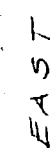
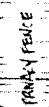
LOCATION MAP



2 of 3



WEST (AR VIEW OF ADDITION)



PROPOSED ACTION



EXHIBIT NO. 4

APPLICATION NO.

1-04-037

SHEARIN

PHOTO OF WOODEN
PICKET FENCE

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA

631 HOWARD STREET, 4TH FLOOR

SAN FRANCISCO, CA 94105

(415) 543-8555

Page 1 of 3
Permit Application No. April 20, 1990
Date 1-90-88CALIFORNIA
COASTAL COMMISSION **ADMINISTRATIVE PERMIT****T14c**

APPLICANT: RICHARD F. GALLAGHER

PROJECT DESCRIPTION: Single family home and septic system

PROJECT LOCATION: 45604 South Caspar Drive, Caspar, Mendocino (APN 118-400-04)

EXECUTIVE DIRECTOR'S DETERMINATION:

Pursuant to PRC Section 30624, the Executive Director hereby determines that the proposed development, subject to Standard and Special Conditions as attached, is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts of the environment within the meaning of the California Environmental Quality Act. Any development located between the nearest public road and the sea is in conformity with the public access and public recreation policies of Chapter 3.

Additional reasons for this determination, and for any special conditions, may be discussed on the reverse (Page 2).

NOTE: The Commission's Regulations provide that this permit shall be reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, a permit will not be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:
Date: Tuesday, May 8, 1990 Tel. No. (213) 305-9588
Time: 10:00 a.m., Item No. 14c (213) 305-9589
Place: Burton W. Chace Park (213) 305-9598
West End of Mindanao Way
Marina Del Rey

IMPORTANT - Before you may proceed with development, the following must occur:

For this permit to become effective, you must sign Page 2 of the enclosed duplicate acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you an authorization to proceed with development.

EXHIBIT NO. 5**APPLICATION NO.**

1-04-037

SHEARIN

ORIGINAL PERMIT

(1 of 3)

PETER DOUGLAS
Executive DirectorBy: BEVERLY SAXON-LEONARDTitle: Coastal Planner

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 this permit is reported to the Commission. 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

Section 30253 of the Coastal Act provides that new development minimize risks to life and property in areas of high geologic hazard and that it not contribute to erosion or geologic instability. The proposed development will be located on a blufftop lot which has a relatively low rate of retreat. The applicant submitted a geologic report which recommended a 45 foot set-back from the steep bluff edge. The recommended set-back will ensure consistency with section 30253 of the Act as the development will not contribute to erosion or geologic instability and will minimize risks to life and property. This permit will be conditioned to require adherence to the geologic report recommendations and any deviation from the report will require an amendment to permit 1-90-88.

SPECIAL CONDITIONS:

1. The recommendations of the geologic report shall be implemented, specifically the 45 foot bluff-top set-back will be followed. Any deviation from the recommendations of the geologic report will require an amendment to permit 1-90-88.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Richard F. Loefer
Applicant's Signature

4-15-90
Date of Signing

6948P
BSL/mem