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23 January 2012

Tamara Gedik, Planner  
California Coastal Commission, North Coast Office  
710 E Street, Suite 200  
Eureka, CA 95501

RECEIVED  
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CALIFORNIA  
COASTAL COMMISSION

RE: A-1-MEN-10-015 (Bethel/Hupp) – response to August 9, 2011 letter  
9490 North Highway One/9401 Brewery Gulch Drive  
Mendocino, CA 95460  
APN 119-320-04-00

Dear Tamara,

As Ms Wynn is impacted in her work load, I am responding to the August 9, 2011 request for additional information concerning the above mentioned project and CCC appeal.

As you indicated, I am submitting the information you requested as well as some of my own analysis and history of this project. Since I have never had dealings with the Coastal Commission before, I ask for your grace in this submission.

Upon your review of the enclosed, I hope that you will agree that the existing structure/house is more subordinate to its setting and less prominent than the 05 CDP approved structure and that you will release this project for completion of construction.

You may address questions or comments to Ms Wynn as she is still the contact for this project. I am just trying to help out.

Respectfully,

SIGNATURE ON FILE

Barbara Bethel

CC: Amy Wynn

EXHIBIT NO. 15  
APPLICATION NO.  
A-1-MEN-10-015  
BETHEL & HUPP  
CORRESPONDENCE FROM  
APPLICANT (1 of 35)

**Alternatives Analysis for Reducing Visual Impacts to Previously Approved Levels**  
**Please note that Exhibit 4 –SUMMARY OF WOLLMAN BIDS is attached**

**1. Cost Analysis**

As requested, the alternatives presented in the March 28, 2011 Alternatives Matrix were bid by a local Mendocino area General Building Contractor, Thomas Wollman (**Exhibit 1**), and Mendocino area Painting Contractor, David LaToof (**Exhibit 2**).

Because I do not have access to Ms Wynn's original Table 1 Alternatives Comparison Matrix to modify it, I will make reference to the Alternatives as numbered in her Matrix:

**1a – Paint window and door Trim:**

Painting Contractor, David LaToof, the original painting contractor for the project, submitted a bid of \$3,375 labor and \$175 materials, totaling \$3,550, to paint the west face of the west exterior door and window trim (Exhibit 2). This bid is less than the original matrix estimate because LaToof has tall ladders that can be used instead of the need to install and move scaffolding across the approximately 150 feet of subject western elevation.

**1c – Replace existing BB3 sq ftg of windows and doors with darkened non-baked frames (such as Anderson Windows):**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 1 of Exhibit 1**.

In bidding the windows, he discovered that the window manufacturer suggested in the Alternatives Comparison Matrix, Anderson Windows, does not make all of the sizes and configuration of windows and doors for the structures of BB1, BB2 or BB3. Therefore, an alternative window manufacturer was suggested and bid, Kolbe Windows, which manufacturer can fabricate the size, configuration and wind loads required for this residence and is more cost effective than Anderson.

To replace the windows and doors such that the frame color of the existing BB3 house window and door configuration is darkened is bid at \$140,000 labor and \$182,384 materials, totaling \$322,384. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both replacing the windows and doors and painting trim is bid at \$325,934.

**1d – Replace existing BB3 sq ftg of windows and doors with darkened baked frames (Fleetwood):**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 1 of Exhibit 1**.

To replace the windows and doors such that the frame color of the existing BB3 house window and door configuration of the subject western elevation is darkened is bid at \$140,000 labor and \$ 129,034 materials, totaling \$269,034. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both replacing the windows and doors and painting trim is bid at \$272,584.

**2a – Install 109 sq ft of film such that BB3 glazing sq ftg to match BB2 glazing sq ftg:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 3 of Exhibit 1.**

Adding the width dimensions of the subject existing BB3 windows and doors yields 162 feet width of glazing. The 109 sq ft divided by 162 feet yields means that approximately 7 inches of each window is to be covered with film across the subject west elevation.

The installation of that film is bid at \$14,000 labor and \$2,500 materials, totaling \$16,500. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both film and painting trim is bid at \$20,050.

**2b – Install 109 sq ft of wood soffits such that BB3 glazing sq ftg to match BB2 glazing sq ftg:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 2 of Exhibit 1.**

Adding the width dimensions of the subject existing BB3 windows and doors yields 162 feet width of glazing. The 109 sq ft divided by 162 feet yields means that approximately 7 inches of each window is to be covered with wood soffit across the subject west elevation.

The fabrication and installation of the wood soffits( referred to as shutters in the Wollman bid) is bid at \$17,000 labor and \$4,000 materials, totaling \$21,000. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both wood soffits/shutters and painting trim is bid at \$24,550.

**2c - Replace windows and doors with darkened non-baked frames (such as Anderson Windows) such that BB3 glazing sq ftg to match BB2 glazing sq ftg, a reduction of 109 sq ft:**

As stated above in 1c, the windows and doors were bid as Kolbe Window and doors for the reasons stated above in 1c.

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 1 of Exhibit 1.**

The bid to replace the subject western elevation windows and doors with Kolbe windows and doors such that the square footage of glazing is reduced by 109 sq ft is \$140,000 labor and \$161,275 materials, totaling \$301,275. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both replacing the windows and doors and painting trim is bid at \$304,825.

**2d – Replace windows and doors with darkened baked frames (Fleetwood) such that BB3 glazing sq ftg to match BB2 glazing sq ftg, a reduction of 109 sq ft:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 1 of Exhibit 1.**

The bid to replace the subject western elevation windows and doors with Fleetwood windows and doors such that the square footage of glazing is reduced by 109 sq ft is \$140,000 labor and \$124,473 materials, totaling \$264,473. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both replacing the windows and doors and painting trim is bid at \$268,023.

**3a thru 3d** – The March 28, 2011 Alternatives Option Matrix states that the difference between BB1 and BB3 glazing is 522 sq ft. However, the discovery of 240 sq ft of courtyard glazing in BB1 reduces the difference to 282 sq ft. This discovery was the subject of an October 2011 CCC Eureka office visit by Ms Wynn and yourself. The exhibits of this discovery were submitted to you at that meeting. The following 3a thru 3d will make reference to that 282 sq ft difference.

**3a – Install 282 sq ft of film such that BB3 glazing sq ftg to match BB1 glazing sq ftg:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 3 of Exhibit 1.**

Adding the width dimensions of the subject existing BB3 windows and doors yields 162 feet width of glazing. The 282 sq ft divided by 162 feet means that approximately 18 inches of each window is to be covered with film across the subject west elevation.

The installation of that film is bid at \$19,000 labor and \$6,000 materials, totaling \$25,000. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both film and painting trim is bid at \$28,550.

**3b - Install 282 sq ft of wood soffits such that BB3 glazing sq ftg to match BB1 glazing sq ftg:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 2 of Exhibit 1.**

Adding the width dimensions of the subject existing BB3 windows and doors yields 162 feet width of glazing. The 282 sq ft divided by 162 feet yields means that approximately 18 inches of each window is to be covered with wood soffit across the subject west elevation.

The fabrication and installation of the wood soffits (referred to as shutters in the Wollman bid) is bid at \$24,000 labor and \$8,000 materials, totaling \$32,000. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both wood soffits/shutters and painting trim is bid at \$35,550.

**3c - Replace windows and doors with darkened non-baked frames (such as Anderson Windows) such that BB3 glazing sq ftg to match BB1 glazing sq ftg, a reduction of 282 sq ft:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 1 of Exhibit 1.**

As stated above in 1c, the windows and doors were bid as Kolbe Window and doors for the reasons stated above in 1c.

The bid to replace the subject western elevation windows and doors with Kolbe windows and doors such that the square footage of glazing is reduced by 282 sq ft is \$140,000 labor and \$142,324 materials, totaling \$282,324. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both replacing the windows and doors and painting trim is bid at \$285,874.

**3d - Replace windows and doors with darkened baked frames (Fleetwood) such that BB3 glazing sq ftg to match BB1 glazing sq ftg, a reduction of 282 sq ft:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 1 of Exhibit 1.**

The bid to replace the subject western elevation windows and doors with Fleetwood windows and doors such that the square footage of glazing is reduced by 282 sq ft is \$140,000 labor and \$113,062 materials, totaling \$253,062. The Matrix suggests that, in addition, the window and door trim is to be darkened for a cost of \$3,550 as specified in 1a above. The total for both replacing the windows and doors and painting trim is bid at \$256,612.

**4 – Rebuild western façade to match BB1:**

General Bldng Contractor, Thomas Wollman, bid this alternative as **Option 4 of Exhibit 1.**

As the contractor points out, BB1 is a different house than BB3. The configuration of BB3 was approved by Mendocino County Planning and Building Department in the issuance of a building permit for BB2. Since building plans for BB1 were never drawn or engineered

because they were not required by the Mendocino County Planning and Building Departments, the bidding for this change is submitted as an estimate by the contractor after looking at the CDP drawings of BB1.

The contractor estimates \$500,000 labor and \$250,000 materials to alter BB3 into BB1, totaling \$750,000.

**No alternative/ BB3 as is:**

Your August 9, 2011 request for additional information for costs for BB3 asks for BB3 costs as well as "costs incurred to date for the developments that were not authorized by the 2005 CDP." I must reiterate that BB2 was approved by the Mendocino County Planning and Building Departments without the requirement for any modification of the 05 CDP for reasons we have submitted in prior correspondence as well as reasons I will elaborate upon in the following discourse. BB3 only lowered raised foundations covered with approved color stone and substituted 109 sq ft of dark colored additional glazing in so doing.

In discussion with my attorney regarding the request for actual financial information, I was informed that all submissions to the CCC office regarding this action are a matter of public record. Because of this, submitting the requested financial information would constitute a violation of private contractual relationships between myself and the subcontractors. I am, therefore, unable to provide the "payment receipts and statements" you requested. However, in a good faith effort to comply with your request in a manner that is appropriate for all parties, my accountant, Carolyn Bayliss of Santa Maria, CA submitted the **Exhibit 3 letter of costs to date**. That letter states that construction only costs to date are \$1,456,355. The accounting computer tracking system has not broken the costs down between materials and labor.

**a. Window Alternatives**

In your August 9, 2011 request, you require that options to Fleetwood windows be submitted as you challenge the need for Fleetwood windows as "luxury windows" and that "other more cost effective options are likely available."

Fleetwood windows and doors were not originally chosen for this residence because they are a luxury product but because they were the most cost effective manufacturer who could produce the size, configuration and wind load requirements of the site and structure. The windows and doors were originally bid to different fabricators. Fleetwood's bid was the most cost effective at that time.

Please refer to the Wollman bid, **Exhibit 1/ Option 1**. When the windows were recently bid out for all three configurations of BB1, BB2, and BB3, the window supplier was not directed to bid the windows and doors to any specific company but was asked to bid the windows and doors to all companies which could meet the specifications of size,

configuration and wind load. The window supplier chose the manufacturers for the bid based on the manufacturer's ability to fabricate the size, configurations and wind loads of the windows and doors as drawn in all three elevations. The supplier chose Kolbe and Fleetwood. This confirmed my choice of Fleetwood as the most cost effective choice when the windows and doors for the residence were chosen originally. It confirms that Fleetwood remains the most cost effective choice given all the structural requirements.

You request structural engineering and wind load factors for CDP approved BB1. Since that house was never architecturally drawn or engineered, no different wind loads than the current rating for BB2 are available. To provide to you that wind load for BB1 would require me to have the house architecturally drawn and engineered. That is not a feasible request because to do so could cost \$100,000 in architectural drawings and engineering calcs and drawings.

As previously stated, BB2 was approved by the Mendocino County Planning and Building Departments without the requirement for any modification of the 05 CDP for reasons we have submitted in prior correspondence as well as reasons I will elaborate upon in the following discourse. BB3 only lowered raised foundations covered with approved color stone and substituted 109 sq ft of dark colored additional glazing in so doing, effectively the same house as the Mendocino County approved BB2. In addition, Mendocino County Planning department approved the existing structure in March 2010 without any modifications requiring only trees to replace those removed in excavation. Those municipalities who are most familiar with the details of this project, its history, and the Mendocino County Coast approved this project twice in BB2 and BB3.

In addition, The August 9, 2011 RFI, page 3, refers to reducing windows or relocating windows in BB3. BB3 is a different house than BB1. Rooms of BB1 have been rearranged and approved thru the County via a building permit for BB2. An alternative to relocate windows does not address the fact that these are two different houses with different features as will be discussed below. This alternative centers on just the windows and does not address the entirety of the features and should not be a consideration.

## **2. Modification Specifications**

In your August 9, 2011 request, you ask for more details for the wood soffits/shutters. The architectural drawing from my architect was included in the Wynn March 28, 2011 submission. This explanation makes reference to that drawing. The soffit/shutter was designed by the architect to allow sun light at angles into the residence because the heat gain from the sun through the windows was a calculation in the Title 24 heating calcs.

The architect specified a 2 inch screw through the shutter tubing and the bracing material to adhere the soffit/shutter to the window and door trim. Since nails and screws hold the entire structure together, this is a reasonable method of attachment and as permanent as any other materials throughout the structure.

As mentioned above, the interior of the residence has not been designed to change because the wood soffits/shutters are designed to allow sun light into the structure for heat gain. Since the CCC is interested in the exterior of the residence as seen from public places, this design satisfies that option.

## **SUMMARY AND ANALYSIS**

I have read the original May 20, 2010 staff report, the February 1, 2011 RFI, and the August 9, 2011 RFI. I have identified and outlined main points from those correspondences:

### **Outline of objections to BB3 in the May 20, 2010 staff report:**

1. Modified the design during the construction process and **without approval**.
2. Square footage increase of the house and increased # of **windows** from 18 with gable to 28 with gable and 100% increase in size and the color of the frames.
3. Inconsistent with the LCP provisions pertaining to the protection of visual resources. Needs to visually blend to the surrounding areas such that it would be compatible and **subordinate to the character of the surrounding area**. Building materials must be selected to blend in hue and brightness with their surroundings.

CONCLUSION: " ...development will not visually blend with its surroundings due to light trim colors, increase in glazing square footage and number of windows."

Therefore, required to submit visual analysis of:

1. Reconstructing the west side to BB1 windows
2. Reduce the windows to BB1 level
3. Modify trim colors to blend with the dominant dark browns and greens of the surrounding landscape.

### **February 1, 2011 request:**

1. Page 1: Alternatives analysis should examine which alternative or combination of alternatives best achieves a project design that is **subordinate to the character of the project setting**.
2. Page 2: Siding trim color and window frame color and stone veneer objections noted by the County staff report in 2009 modification submittal. "The Commission has never approved a color choice for the development or any other aspect of the development. The only application for the development that has ever been before the Commission is the current appeal."
3. Trim color to be darkened on all sides and window frames to be dark.
4. Reduction in the size and # of windows.
5. Analysis needs to: " compare effectiveness of alternatives in achieving a design that is subordinate to the character of its setting"; feasibility; changes affect the functionality of spaces; permanent and not easily removed.

**August 9, 2011** request:

“Alternatives for reducing **visual impacts to previously approved levels.**”

1. Costs from contractor with materials and labor breakdowns.
2. Total costs to date.
3. Window alternatives: prove BB1 required same wind load and alternatives require same wind load. Alternates to Fleetwood windows.
4. Soffit construction that makes it permanent with drywall on the inside.

**There are repeated points in all 3 documents from the CCC:**

1. Previously approved levels.
2. Subordinate to the character of its setting.
3. Visual impacts/blending into its surroundings.
4. Window # and placement.
5. Colors.

Although Ms Wynn may have addressed these issues in the previous submittals, I would personally like to address these in reference to the above numbers #1 to #5 as they relate to BB1, BB2 and BB3.

Before doing so, I will clarify the references of BB1, BB2 and BB3 and give a brief history of the project:

**BB1** is a reference to the house approved in the 05 CDP. I hired an architect, engineer and processor to take my concepts and produce and submit whatever was necessary for preliminary approvals. I waited to start the construction drawings for this house until I located a local Mendocino builder to ensure that he would know the processing and the construction standards in the area. When I did chose a builder, he advised me that the arrangement of rooms in BB1 was not ideal and that the rooms should be rearranged. I hired him and a different architect to draw plans. The builder processed those plans through the Mendocino County departments.

**BB2:** I took his advice. I hired him and a different architect to work together to draw plans. The rooms of BB1 were rearranged as suggested and the drawings were submitted to the County of Mendocino Planning and Building departments. The builder processed those plans through the Mendocino County departments. The rearranged rooms of the BB1 CDP approved house were approved by both departments and the house was issued a building permit to construct. The Mendocino County departments did not require any modification to the 05 CDP.

**BB3:** During construction, I realized that the house would be better sited if it did not sit on top of the down sloping lot but was lowered into the raised foundation making it lower on the lot and looking nestled into the site. The builder lowered the floors into the tall raised foundation. Since it was structurally the same house as the County approved BB2, I was told by the builder that we could continue construction. In fact, there were several approved inspections of this house under construction. However, I pursued the issue of the change and I decided to submit "As Built" drawings to the Mendocino County Building Department to ensure that dropping the floors was not a problem. That action on my part opened this entire 2 year discretionary process.

**#1. Previously approved levels:**

"The Commission has never approved a color choice for the development or any other aspect of the development. The only application for the development that has ever been before the Commission is the current appeal."

According to my attorney who has knowledge of and experience with the CCC and its regulations and processing, the CCC approved BB1 in '05 with roof, siding and stone colors by virtue of the fact that the County approval was not appealed. Therefore, it cannot be said that this project had no CCC approval.

**What was approved in the 05 CDP of BB1:**

**Colors:** I was told to submit the color of the roof, the siding and the stone. Those colors came from the lot. The stone color coordinates with the color of the stones on the lot and the surrounding hills. The house colors were chosen so that the house would blend in hue and brightness with its setting. I submitted what I was told to submit. The submitted colors for the roof, siding and stone were approved by the County and by the CCC by virtue of the fact that the CCC did not appeal the County approval.

**Windows:** BB1 had Mendocino County and CCC approval for 31 window and door panels with a total of 1,015 Sq ft.

**Siting and elevations** – Because a picture is worth a thousand words, I hired a computer draftsman to construct a virtual 3D model of BB1 which is submitted as **EXHIBIT 5**. Photos were taken from 2 public vantage points, one from the village and one from the Headlands. Exhibit 4 shows 2 photos of each vantage point, one being the existing BB3 structure and the other, the superimposed computer generation of **what BB1 would have looked like** from the same vantage point. The superimposed BB1 is sited on the lot as it would have been per the approved CDP.

**EXHIBIT 6** is an overlay of the BB1 floor plan superimposed on the BB3 floor plan. Ms Wynn previously submitted the yellow colored BB3/BB1 comparison to show how the rooms of BB1 were rearranged into BB2/3.

**Analysis of BB1:**

1. The BB1 sat 3 feet higher on the lot.
2. The BB1 had 1470 sq ft of light colored stone retaining, foundation and decorative house walls. Looking at the grading plan approved for BB1 shows a series of retaining walls from elevation 570 to 558 in addition to the foundation walls showing on the elevation plans. Those retaining walls stacked together would have been 12 feet tall. That is 2 feet taller than the walls in the BB1 house. That would have had a huge visual impact. In fact, the amount of stone approved for BB1 at 1,470 is more than the glass in BB1 or the sq ft of glass that is currently in BB3. The stone retaining walls would not have been covered with landscaping because only the addition of 7 trees on the north east corner of the lot was required in the 05 CDP approval.
3. West side development of BB1 was approved as 160 feet long.
4. BB1 had a more prominent great room 33 feet long on western elevation with 5 larger rake windows.
5. Master bedroom of BB1 would have been 8 feet further west
6. Office of BB1 would have been 12 further west.
7. BB1 was approved for 30 feet of courtyard glass with 2 foot wide stone columns between the panels sited 5 feet east of the great room west elevation. This glass was designed to create an outside sitting area free of wind and would have used the same dark tinted glass as the rest of the house so that the sun glare would be minimized. Because of this tint, the glass would have looked like the glass in the rest of the structure.
8. BB1 Guest cottage sited approximately 3 feet further west and 10 feet south of its current location.

Conclusion: 05 CDP approved BB1 would have been more visually prominent than BB2/3.

**What was approved in BB2:**

Approval: Mendocino County Bldg and Planning approved BB2 with the issuance of a building permit and without the requirement for a CCC modification because they found it not only in compliance, but an improvement on the '05 BB1 CDP because it was less prominent and less disturbance of the site.

Mendocino County Planning Staff **gave BB2 a sign off without requiring any CDP amendment because the planner realized BB2 house was in compliance.** What is compliance? Is it exact or substantial compliance? BB2 was in substantial compliance with

the CDP. The planner made that judgment. How was I supposed to know that a CDP modification was necessary when the County officials did not require one? I have never had any prior knowledge of or dealings with the CCC. I relied upon the professionals.

**Colors:** BB2 had the same approved colors as BB1. No changes

**Windows:** BB2 was approved for 33 window and door panels for a total of 1,188 sq ft.

**Siting, elevations, floor plan:** BB2 was approved for its current room arrangement and sizes and siting on the lot as built in BB3.

1. The house was at the same height as BB1.
2. The exterior retaining walls were replaced with integrated house raised foundations covered with 886 square feet of stone.
3. Attaching the guest cottage to the main house resulted in 142 linear feet of development, 18 feet less than BB1.
4. The great room western façade width was reduced from 33 feet wide to 22 feet wide and the kitchen was articulated east 5 feet. The 22 foot great room facade reduced the width of the rake windows by 11 feet and the height by approximately 2 feet.
5. The Master bedroom was moved east 8 feet.
6. The office was moved east 12 feet.
7. The courtyard glass was removed and the library adjoined the office. This resulted in windows that were moved east by 12 feet.
8. The guest cottage was attached to the house and moved east by @3 feet.

**What is the BB3 modification:** The floors were dropped into the stone colored raised foundation. The resulting dropped footage replaced the raised foundations with 109 sf of glass. Because the raised foundation was reduced, the need for the stone was reduced. The approved light colored stone was reduced from 1470 sf of BB1 and the 886 sf of stone in BB2 to 168 sf of stone.

**Colors:** BB3 colors were all chosen from the approved '05 CDP colors, including the window frames, siding trim and stone.

**Windows:** BB3 has 34 window and door panels for a total of 1,297 sq ft of glass.

**Siting:** BB3 is sited the same in the floor plan, roof plan and massing as County approved BB2. The floors were lowered into raised foundations and the entire house was lowered into the lot by 3 feet, fitting it into the site better than letting it stick up out of the ground with raised foundations.

Mendocino County Planning department approved the existing structure of BB3 without any modifications in March '10. They must have recognized that BB3 is an improvement in

prominence and visual impact over BB2. There has NEVER been any attempt on my part to do something unapproved. I have continuously followed the advice of the professionals I have hired and the direction of the County Building and Planning. In fact, I was the one who insisted on the submission of the "As Built's" to ensure that parties were aware of what was being done to the floors.

**CONCLUSION:** BB3 is less prominent than either BB1 or BB2.

**#2. Subordinate to the character of its setting:**

BB1 had more lot disturbance and more western frontage and sat high and straight out of the hillside. During an October 18, 2011 meeting in the CCC Eureka office, Ms Wynn gave to you a graphic comparison between the BB1 and BB3 west elevations. That chart showed that BB1 had a western elevation that was 145 feet in length with an additional space between the house and the garage of 15 feet making the total development 160 feet long. BB3 is 142 feet long on the west elevation making it less prominent.

BB1 was sited 3 feet higher on the lot than BB3 making BB1 more prominent.

BB1 had 1470 feet of approved stone whereas BB3 has 168 sf of stone. The mass of this stone in BB1 would have been more visually prominent than the stone of BB3.

The great room 33 feet of western façade of BB1 with the higher 7 foot tall rake above it made it more visually prominent from town and the headlands than BB3.

The house was a single story on a down sloping lot and stuck out of the ground with raised foundations covered in stone. BB1 did not follow the slope of the lot as does BB3.

Referring to **Exhibit 5**, the western glass on BB1 would have been prominent from the Village and the Headlands. The entire 1,015 sf of BB1 western glass would have been visible from public places. If you look at the photos of BB3 taken from the Headlands, one cannot see the library glass, the bathroom glass and half of the guest room glass because the rooms were articulated east on the site. That glass that is not visible from public places is  $123.5 + 16.5 + 90 = 230$  sq ft of 6 windows. This is almost equal to the difference between BB1 glass at 1,015 and BB3 glass at 1,297 or 282 sq ft. **The conclusion is BB3 glass LOOKS like the square footage of BB1 glass because BB1 glass would have been more prominent. It looks like 6 fewer windows or 3 less than the BB1 approved # of windows.**

Conclusion: BB1 was a much more prominent house than BB2/3. All windows would have been visible from the public places. The quantity of stone would have been very visible, especially when the grass is green in the winter, and not as tan as the summer. BB2/3 is an improvement on the CDP approved BB1.

### **#3. Visual Impact:**

BB3 has less visual impact than BB1 would have. The 2 computer generations of BB1 show its prominence and, therefore, visual impact. **BB1 would have been finished with the same colors used in BB3.** All exterior colors were selected from the approved colors. The stone on BB3 is only 11% of what was approved for BB1. The siding trim is only 20% of the stone color approved on BB1. BB1 would have blended less into its surroundings because of the siting and the amount of stone. However, BB1 was approved by Mendocino County. It was also approved by the CCC by virtue of the fact that it was not appealed.

It seems relevant to add that Mendocino County Planning approved BB3 in March 2010 with only the addition of screening trees and with no material or structural modifications. They must have recognized that BB3 is an improvement over BB1 and BB2.

### **#4. Windows and Placement:**

**ACCURATE INFORMATION:** During the October 18 visit to the Eureka office, Ms Wynn submitted an architectural rendering of the 30 feet of glass panels on the west side of the courtyard west of the BB1 garage. The drawing showed that there **were 30 feet of CDP approved windows on the west** creating an outside courtyard on the west side of the garage. In moving the library and bath to the west, BB2/3 actually DECREASED the amount of windows which had been approved for that portion of the west elevation of the BB1 house. On BB1, the courtyard glass is 240 sq ft. On BB2/3, the bath and library windows are collectively 130.5 sq ft. This gives **further reason why County planning staff approved BB2 without any CDP modifications required.**

Mendocino County approved BB2 as a rearrangement of BB1's rooms, windows/doors. This rearrangement was not done without County approval and issuance of a building permit. To compare the two elevations and to require that the number and placement of windows be changed to that of BB1 is saying to rebuild the house to BB1. I have already shown that BB1 was more prominent than either BB2 or BB3. To require the change in windows approved for BB2/3 back to BB1 would require a rebuild change back to all of BB1. That rebuild to BB1 would make the project more visibly prominent.

**THIS POINT BEARS REPEATING:** Since all other rooms of BB1 with the exception of a portion of the great room were sited further westward, all western glass on BB1 would have been visible from the Headlands. The entire 1,015 of western glass would have been visible from public places. If you look at the photos of BB3 taken from the Headlands, one cannot see the library glass, the bathroom glass and half of the guest room glass because the rooms were articulated east on the site. That glass that is not visible from public places is  $123.5 + 16.5 + 90 = 230$  sq ft of 6 windows. This is almost equal to the difference between BB1 glass at 1,015 and BB3 glass at 1,297 or 282 sq ft. **The conclusion is BB3 glass**

**LOOKS like the square footage of BB1 glass because BB1 glass would have been more prominent.** BB3 looks like 6 fewer windows than actually exists on the western façade or 3 less than the BB1 approved # of windows for the western façade.

**#5. Colors:**

I had approval for all colors chosen and existing in BB3 construction.

**ALTERNATIVES PRESENTED TO THE CCC IN THE March 2011 submission:**

1. BB 1 and BB2/3 are different houses. To insist that I make BB3 into BB1 on only one west façade does not acknowledge that these are 2 different houses. It would be a big mistake to superimpose BB1 façade onto BB3
2. Paint trim dark brown. I am willing to do this. I had the right to paint the trim the color I chose. I will concede to do this in exchange for leaving the windows as is.
3. Reduce windows 109 sq ft by replacing all windows. This is excessive and makes no visual difference when viewed from the public places. We have already shown that it would reduce each window by 7 inches and makes no visual impact.
4. Reduce windows to BB1's 282 sq ft and placement in the western facade. BB1 and BB2/3 have different room configurations. The conclusion is that there is no way to conform BB3 to BB1 without tearing down the entire house and reconfiguring it to BB1 because rooms were reconfigured with Mendocino County approval. The building footprints are different between BB1 and BB2/3. And that the massing of the west elevation is better in BB3. So, tearing down the entire western façade now seems drastic to consider.

**CONCLUSION:**

1. CCC should approve BB3 as built as did Mendocino County realizing that BB3 is:
  - Less prominent
  - Better sited
  - Has less visual impact with 109 sf more glass but 1100 sf less stone.

**Mendocino County gave approval of BB3 in March 2010 with only the increase in the number of screening trees. No material or structural modifications were required.**

2. If any modification is required, the most effective change would be to paint the west face of the trim brown to match the stain color. In studying the photos submitted in **Exhibit 5**, as well as the photos previously submitted by Ms Wynn, it is the light color of the siding trim which draws one's attention to the house. If this were painted brown, the eye would not be drawn to the structure.

**EXHIBIT 1**

**THOMAS WOLLMAN CONSTRUCTION AND ELECTRIC**

**P.O. BOX 2473**

**MENDOCINO, CA 95460**

**CL 618158**

**JANUARY 2012 - CONTRACTOR BID FOR BETHEL RESIDENCE**

**9401 BREWERY GULCH, MENDOCINO, CA**

**OPTION 1: Replace windows on west side:**

The original matrix makes reference to Anderson windows as wood alternatives. In bidding the windows with my supplier, he reported that Anderson does not make all of the configuration of windows that are needed. He bid Kolbe windows instead of Anderson. He also bid the same sizes/configurations in Fleetwood with current pricing.

BB1 sizes/configurations for Kolbe west side windows only	\$112,324.13
BB2 sizes/configurations for Kolbe west side windows only	\$131,275.64
BB3 sizes/configurations for Kolbe west side windows only	\$152,384.85
BB1 sizes/configurations for Fleetwood west side windows only	\$ 83,062.49
BB2 sizes/configurations for Fleetwood west side windows only	\$ 94,473.20
BB3 sizes/configurations for Fleetwood west side windows only	\$ 99,034.31
Labor to remove trim and windows on west side	\$ 15,000
Clean up and trash removal for siding and windows	\$ 5,000
Reframing labor west side to change window size	\$ 20,000
Framing materials west side only	\$ 10,000
Window installation labor all configurations	\$ 30,000
Siding labor west side only	\$ 30,000

Siding materials west side only	\$ 20,000
Paint and stain for siding materials west side only	\$ 10,000
Scaffolding Labor	\$5,000
Management fee 10%	\$25,000

**OPTION 2: Wood shutters @ 200 feet long:**

Materials for 7 inch height – steel tubes, redwood backer, siding, bolts, screws	\$4,000
Labor to fabricate and install 7 inch height all windows on west side	\$6,000
Stain/paint for 7 inch height – steel, redwood backers, siding	\$ 1,000
Material for 1.5 foot height – as above	\$8,000
Labor to fabricate and install 1.5 foot height all windows west side	\$12,000
Stain/paint for 1.5 foot height	\$2,000
Scaffolding labor	\$5,000
Clean up and trash removal	\$1,000
Mgmt Fee 10%	\$4,000

**OPTION 3: Film west windows only:**

Film material for 109 sf @ \$20 sf	\$2,500
Labor to install 109 sf / 7' height all widows on west side, clean windows	\$5,000
Film material for 282 sf @ \$20 sf	\$6,000
Labor to install 282 sf/ 1.5 ft height all windows on west side, clean windows	\$10,000
Scaffolding labor	\$5,000
Clean up and trash removal	\$ 1,000
Mgmt fee 10%	\$3,000

**OPTION 4: Rebuild entire west façade: Change BB3 into BB1**

It is not possible to make BB3 into BB1 because the rooms are not the same.

If conditioned to do this, tear down the entire west side and build the west side to look as close to BB1 as possible, including the glazing for the courtyard. The entire house so far has cost 1.4 mil. One half of that cost can be attributed to the west side. To make BB3 into BB1 would cost approximately \$700,00 plus trash disposal, fees, architecture, engineering, processing. Adding those fees would make the estimate \$750,000 divided @ \$250,000 materials and \$500,000 labor.

On Behalf Of: Kolbe & Kolbe Millwork Company

Address: 1323 South 11th Avenue

Wausau, WI 54401-5998

Phone: 715-842-5666

Fax: 715-848-9357

Contact: Carrie Hurd

Email: [churd@kolbe-kolbe.com](mailto:churd@kolbe-kolbe.com)

Address: Kolbe & Kolbe Millwork Co., Inc

1323 South 11th Avenue

Wausau, WI 54401

Phone: 209-914-3115

Fax: 949-528-2575



**KOLBE**

■ WINDOWS & DOORS ■

[www.kolbe-kolbe.com](http://www.kolbe-kolbe.com)

**Quote 111542D: HDC/SM**  
**Project: Bethel B1**  
**Printed: 12/19/2011 2:01:36 PM**



Printed By: Carrie Hurd

Created: 12/18/2011

2011 Pricing

**Notes / Totals / Signature**

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<b>Total Quantity:</b> 19	<b>Total Cubic Feet:</b> 516.88	<b>Sub-Total*:</b>	\$112,324.13
		<b>Total Tax:</b>	\$0.00
		<b>Total Freight:</b>	\$0.00
		<b>Total Labor:</b>	\$0.00

---

<b>Total Amount:</b>	\$112,324.13
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Total Amount includes Kolbe and/or Non-Kolbe lines if applicable

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Purchase Order:** \_\_\_\_\_



On Behalf Of: Kolbe & Kolbe Millwork Company

Address: 1323 South 11th Avenue  
Wausau, WI 54401-5998

Phone: 715-842-5666

Fax: 715-848-9357

Contact: Carrie Hurd

Email: [churd@kolbe-kolbe.com](mailto:churd@kolbe-kolbe.com)

Address: Kolbe & Kolbe Millwork Co., Inc  
1323 South 11th Avenue  
Wausau, WI 54401

Phone: 209-914-3115

Fax: 949-528-2575



**KOLBE**

■ WINDOWS & DOORS ■

[www.kolbe-kolbe.com](http://www.kolbe-kolbe.com)

**Quote 111536D: HDC/SM**  
**Project: Bethel B2**  
**Printed: 12/19/2011 2:14:51 PM**



Printed By: Carrie Hurd  
Created: 12/18/2011

2011 Pricing

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**Notes / Totals / Signature**

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<b>Total Quantity:</b> 21	<b>Total Cubic Feet:</b> 396.92	<b>Sub-Total*:</b>	\$131,275.64
		<b>Total Tax:</b>	\$0.00
		<b>Total Freight:</b>	\$0.00
		<b>Total Labor:</b>	\$0.00

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<b>Total Amount:</b>	\$131,275.64
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---

Total Amount includes Kolbe and/or Non-Kolbe lines if applicable

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Purchase Order:** \_\_\_\_\_

On Behalf Of: Kolbe & Kolbe Millwork Company

Address: 1323 South 11th Avenue  
Wausau, WI 54401-5998

Phone: 715-842-5666

Fax: 715-848-9357

Contact: Carrie Hurd

Email: [churd@kolbe-kolbe.com](mailto:churd@kolbe-kolbe.com)

Address: Kolbe & Kolbe Millwork Co., Inc  
1323 South 11th Avenue  
Wausau, WI 54401

Phone: 209-914-3115

Fax: 949-528-2575



**KOLBE**  
■ WINDOWS & DOORS ■

[www.kolbe-kolbe.com](http://www.kolbe-kolbe.com)

**Quote 111539D: HDC/SM**  
**Project: Bethel B3**  
**Printed: 12/19/2011 3:00:37 PM**



Printed By: Carrie Hurd  
Created: 12/18/2011

2011 Pricing

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**Notes / Totals / Signature**

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<b>Total Quantity:</b> 23	<b>Total Cubic Feet:</b> 473.46	<b>Sub-Total*:</b>	\$152,384.85
		<b>Total Tax:</b>	\$0.00
		<b>Total Freight:</b>	\$0.00
		<b>Total Labor:</b>	\$0.00

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<b>Total Amount:</b>	\$152,384.85
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Total Amount includes Kolbe and/or Non-Kolbe lines if applicable

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Purchase Order:** \_\_\_\_\_



# FLEETWOOD

WINDOWS & DOORS



12/12/2011

## PLAN BETHEL B1

FLEETWOOD (DP40)

key	QTY	W	H	CONFIG	FUNC	MULL	GLASS	TEMP	SERIES	SELL
A	1	3/0	3/0	□	PW	-	HP SUN	TEMP	Norwood 3000	\$ 1,456.49
B	1	4/0	5/0	□x	HS	-	HP SUN	TEMP	Norwood 3000	\$ 2,478.08
D	1	5/0	6/0	□x	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,813.82
E	1	3/0	5/0	□	PW	-	HP SUN	TEMP	Norwood 3000	\$ 1,658.55
F	1	12/0	8/0	□x x □	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 6,204.52
G	1	3/0	5/0	□	PW	-	HP SUN	TEMP	Norwood 3000	\$ 1,658.55
I	1	6/0	10/0	□	PW	-	HP SUN	TEMP	Norwood 3000	\$ 3,625.55
J	1	5/0	6/0	□x	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,534.35
K	1	12/0	10/0	□x x □	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 6,434.59
L	1	6/0	10/0	□	PW	-	HP SUN	TEMP	Norwood 3000	\$ 3,625.55
N	2	16/6	6/2-0	□□□□	RAKE PW	-	HP SUN	TEMP	Norwood 3000	\$11,270.73
O	1	10/0	8/0	□x	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 6,885.05
R	1	3/0	7/0	□x	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,226.80
S	1	8/0	8/0	□x	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 4,245.87
T	1	7/0	8/0	□x	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 4,245.87
V	1	30/0	8/0	□□x x □□	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 9,052.92

ALL WITH KYNAR 500, EDGE ARMOR FINISH, MARTIN MED BRONZE  
 ALL WITH COASTAL HARDWARE FOR USE WITHIN 1,000' OF THE OCEAN  
 ALL MINIMUM DESIGN PRESSURE RATING DP40

SUB	\$73,417.30
LABOR	\$ -
FREIGHT	\$ 3,670.86
TAX	\$ 5,974.33
TOTAL	\$83,062.49



# FLEETWOOD

WINDOWS & DOORS



12/12/2011

## PLAN BETHEL B 2

FLEETWOOD (DP40)

key	QTY	W	H	CONFIG	FUNC	MULL	GLASS	TEMP	SERIES	SELL
A	1	3/0	6/0	<input type="checkbox"/>	PW	-	HP SUN	TEMP	Norwood 3000	\$ 1,473.91
B	1	7/0	6/0	<input checked="" type="checkbox"/>	HS	-	HP SUN	TEMP	Norwood 3000	\$ 3,412.35
D	1	5/0	9/0	<input checked="" type="checkbox"/>	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,902.93
E	1	5/0	9/0	<input checked="" type="checkbox"/>	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 2,574.71
F	1	10/0	9/0	<input checked="" type="checkbox"/>	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 6,106.57
G	1	5/0	9/0	<input type="checkbox"/>	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 3,166.68
H	1	2/6	9/0	<input checked="" type="checkbox"/>	HS	-	HP SUN	TEMP	Norwood 3000	\$ 3,578.47
I	1	10/0	9/0	<input checked="" type="checkbox"/>	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 6,560.60
J	1	5/0	9/0	<input checked="" type="checkbox"/>	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,902.93
K	1	21/0	10/0	<input checked="" type="checkbox"/>	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 10,357.08
N	2	10/6	3/2-0	<input type="checkbox"/>	RAKE PW	-	HP SUN	TEMP	Norwood 3000	\$ 6,622.57
O	1	10/0	9/0	<input checked="" type="checkbox"/>	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 6,560.60
P	1	3/0	3/0	<input checked="" type="checkbox"/>	HS	-	HP SUN	TEMP	Norwood 3000	\$ 2,071.94
Q	1	15/0	9/0	<input checked="" type="checkbox"/>	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 10,193.01
S	1	19/0	8/0	<input checked="" type="checkbox"/>	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 7,808.69
U	2	8/6	3/2-0	<input type="checkbox"/>	RAKE PW	-	HP SUN	TEMP	Norwood 3000	\$ 5,209.97

ALL WITH KYNAR 500, EDGE ARMOR FINISH, MARTIN MED BRONZE  
 ALL WITH COASTAL HARDWARE FOR USE WITHIN 1,000' OF THE OCEAN  
 ALL MINIMUM DESIGN PRESSURE RATING DP40

SUB	\$ 83,502.99
LABOR	\$ -
FREIGHT	\$ 4,175.15
TAX	\$ 6,795.06
TOTAL	\$ 94,473.20



**FLEETWOOD**  
WINDOWS & DOORS



12/12/2011

**PLAN BETHEL B 3**

FLEETWOOD (DP40)

key	QTY	W	H	CONFIG	FUNC	MULL	GLASS	TEMP	SERIES	SELL
A	1	4/6	9/6	o	PW	-	HP SUN	TEMP	Norwood 3000	\$ 3,665.70
B	1	7/0	8/0	ox	HS	-	HP SUN	TEMP	Norwood 3000	\$ 3,521.08
D	1	5/0	9/6	ox	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 5,666.67
E	1	5/0	10/0	ox	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 3,599.60
F	1	10/0	10/0	oxxo	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 6,422.01
G	1	5/0	10/0	oo	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 3,162.21
H	1	2/6	9/6	ox	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,453.08
I	1	12/0	9/6	oo	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 6,966.03
J	1	5/0	9/6	ox	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 4,204.17
K	1	18/0	10/0	oxxo	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 8,572.61
L	1	5/0	5/0	ox	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,508.22
M	1	18/0	5-0	xoxox	HS	-	HP SUN	TEMP	Norwood 3000	\$ 9,477.59
N	2	9/0	4/2-0	oo	RAKE PW	-	HP SUN	TEMP	Norwood 3000	\$ 5,507.91
O	1	13/0	9/6	xox	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 5,357.27
P	1	3/0	5/6	ox	HS	-	HP SUN	TEMP	Norwood 3000	\$ 2,461.58
Q	1	12/0	9/6	xox	HS	18" BS	HP SUN	TEMP	Norwood 3000	\$ 3,315.78
S	1	19/0	9/6	oooo	DOOR	-	HP SUN	TEMP	Kona 3800	\$ 8,672.95

ALL WITH KYNAR 500, EDGE ARMOR FINISH, MARTIN MED BRONZE  
ALL WITH COASTAL HARDWARE FOR USE WITHIN 1,000' OF THE OCEAN  
ALL MINIMUM DESIGN PRESSURE RATING DP40

SUB	\$ 87,534.47
LABOR	\$ -
FREIGHT	\$ 4,376.72
TAX	\$ 7,123.12
TOTAL	\$ 99,034.31

## **LATOOF PAINTING INC.**

**PO BOX 1699  
MENDOCINO. CA. 95460**

**LIC. # 709032  
707-937-5032**

**FOR: Barbara Bethel  
AT: 9401 Brewery Gulch Dr.  
Mendocino, CA**

**9/10/11**

**MAIN HOUSE; west side only.**

**Fascia, casing and corner trim faces.  
-Treat mildew and wash.  
-Top coat X1 with approved color.**

<b>Trim Labor Cost</b>	<b>\$3,375.00</b>
<b>Trim Materials Cost</b>	<b>\$175.00</b>

**Metal window and slider sash faces.  
-Light sand.  
-Complete metal prime.  
-Top coat X1 using approved color matching trim.**

<b>Sash Labor Cost if concurrent with trim</b>	<b>\$3,600.00</b>
<b>Sash Materials Cost</b>	<b>\$150.00</b>

**EXHIBIT 3**



Ronald D. Myers, CPA  
Margaret S. Hesse, CPA  
Cynthia K. Bayless, CPA  
Carolyn M. Bayliss, CPA

November 4, 2011

To Whom It May Concern:

We prepared the S Corporation income tax returns for Bethel Holding Company, Inc. for the tax year ended December 31, 2010 based upon information provided by Barbara Bethel. The balance sheet account entitled "Work-in-Process – Mendocino" as reported on the tax return balance sheet totaled \$1,456,355.

Our services are limited to the preparation of corporate federal and state income tax returns from information provided to us by our client. We have not reviewed, audited, or otherwise attempted to verify any of the information given to us by Barbara Bethel. Consequently, we cannot affirm its accuracy or completeness.

Sincerely,

A handwritten signature in cursive script that reads 'Carolyn M. Bayliss'.

Carolyn M. Bayliss, CPA

**EXHIBIT 4**

**SUMMARY OF WOLLMAN BIDS**

REF #	LABOR	MATERIALS	PAINT	TOTAL
1a	\$3,375	\$175		\$3,550
1c	\$140,000	\$182,384	\$3,550	\$325,934
1d	\$140,000	\$129,034	\$3,550	\$272,584
2a	\$14,000	\$2,500	\$3,550	\$20,050
2b	\$17,000	\$4,000	\$3,550	\$24,550
2c	\$140,000	\$161,275	\$3,550	\$304,825
2d	\$140,000	\$124,473	\$3,550	\$268,023
3a	\$19,000	\$6,000	\$3,550	\$28,550
3b	\$24,000	\$8,000	\$3,550	\$35,550
3c	\$140,000	\$142,324	\$3,550	\$285,874
3d	\$140,000	\$113,062	\$3,550	\$256,612
4	\$500,000	\$250,000		\$750,000



Exhibit 5 - BB1 From Village

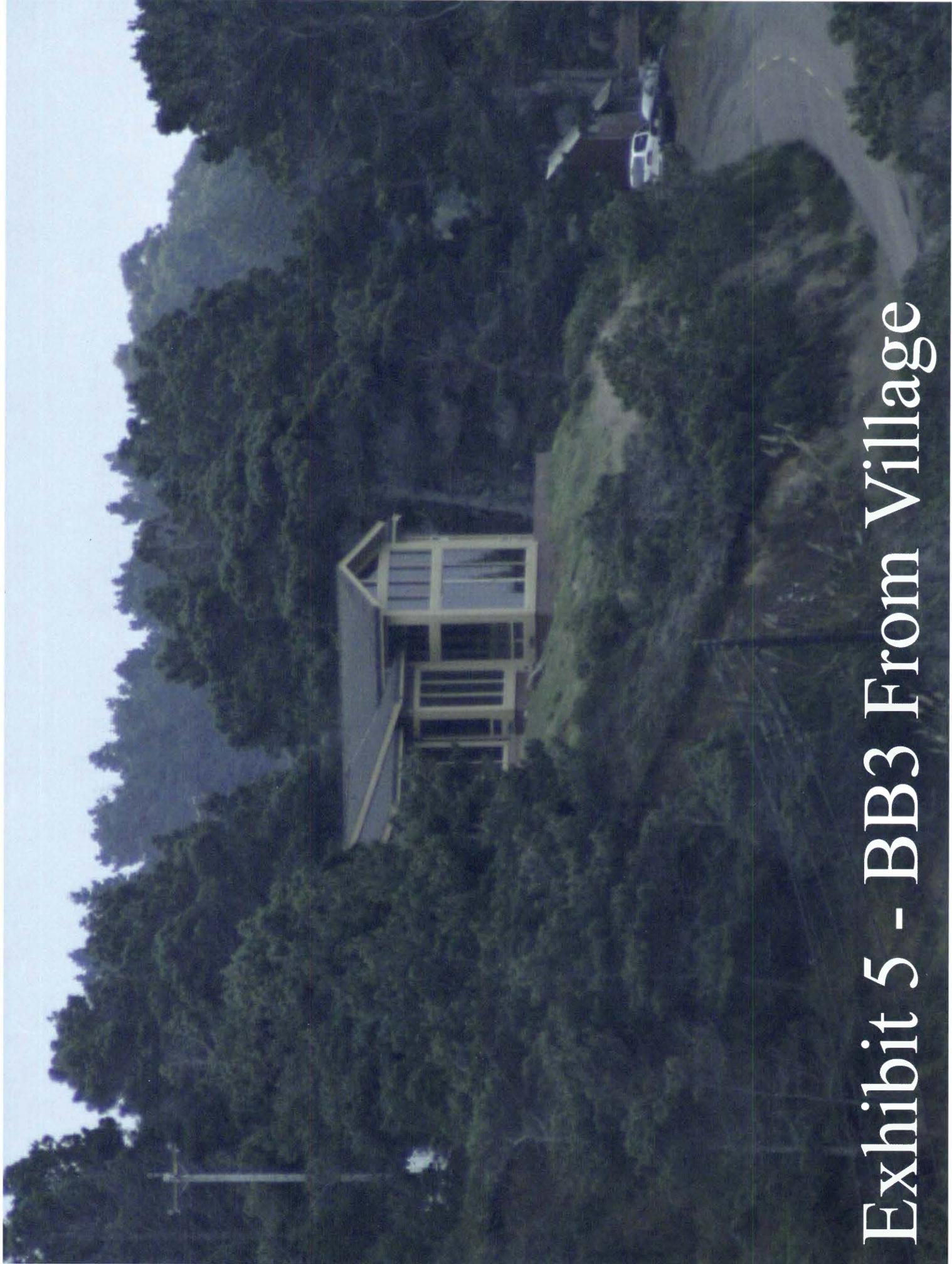
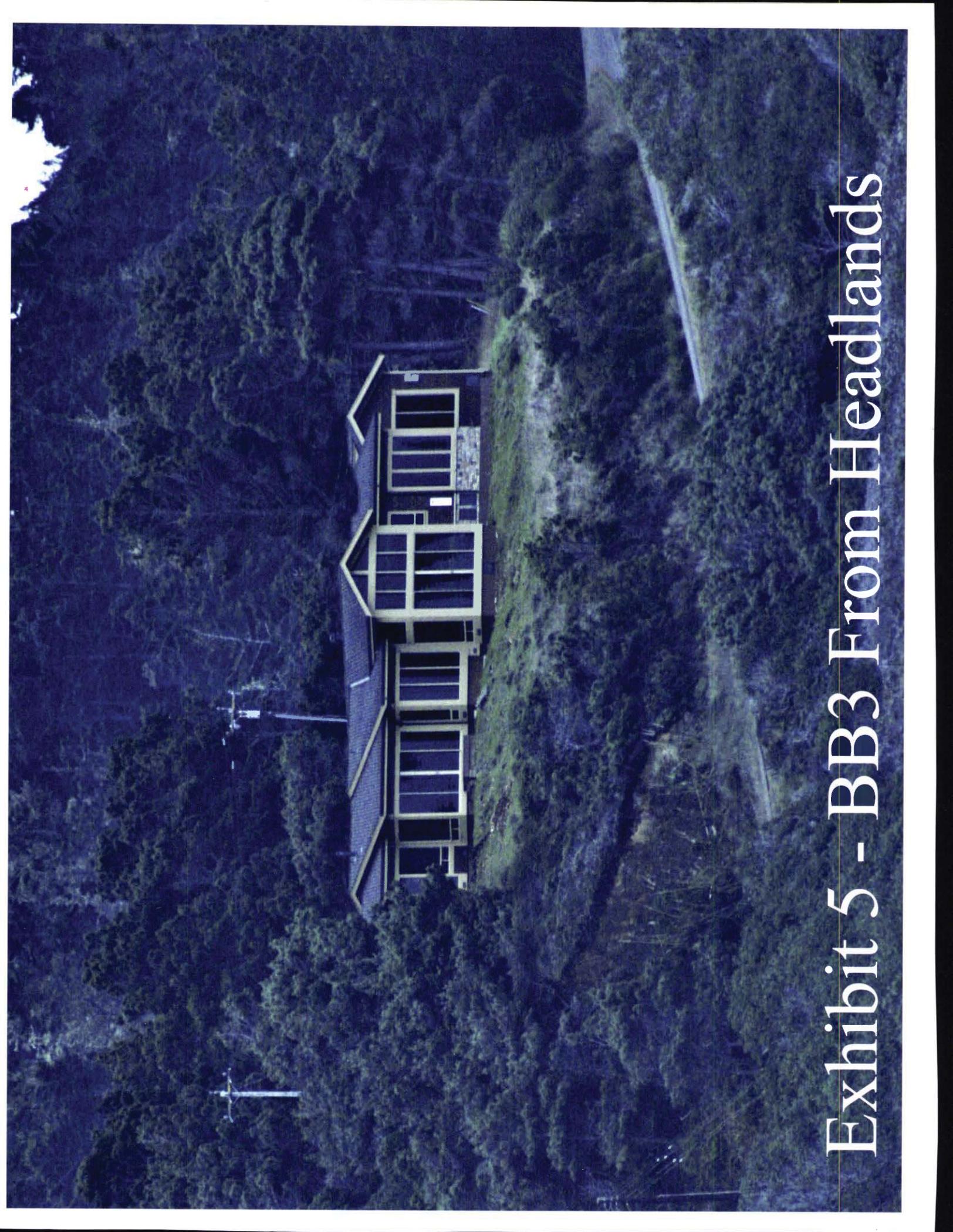


Exhibit 5 - BB3 From Village

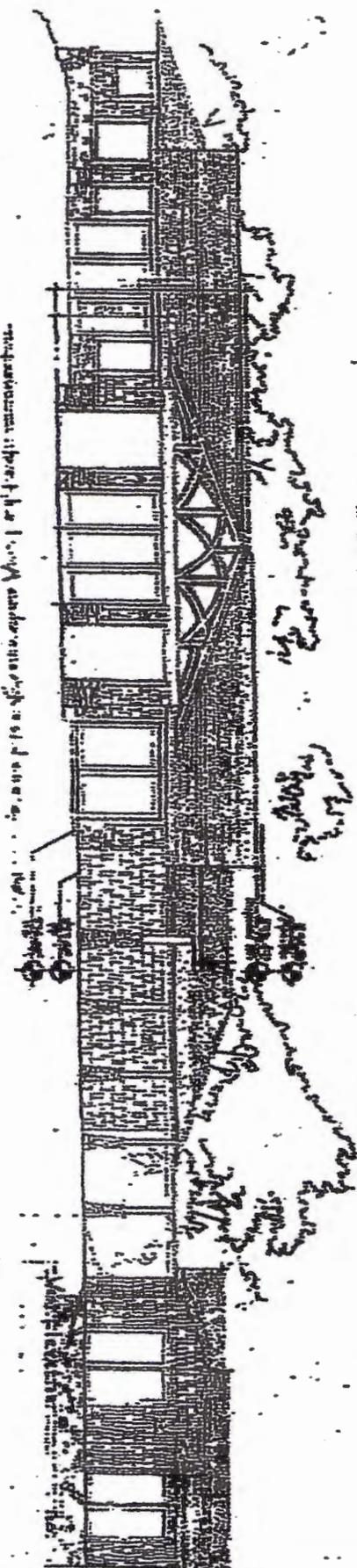
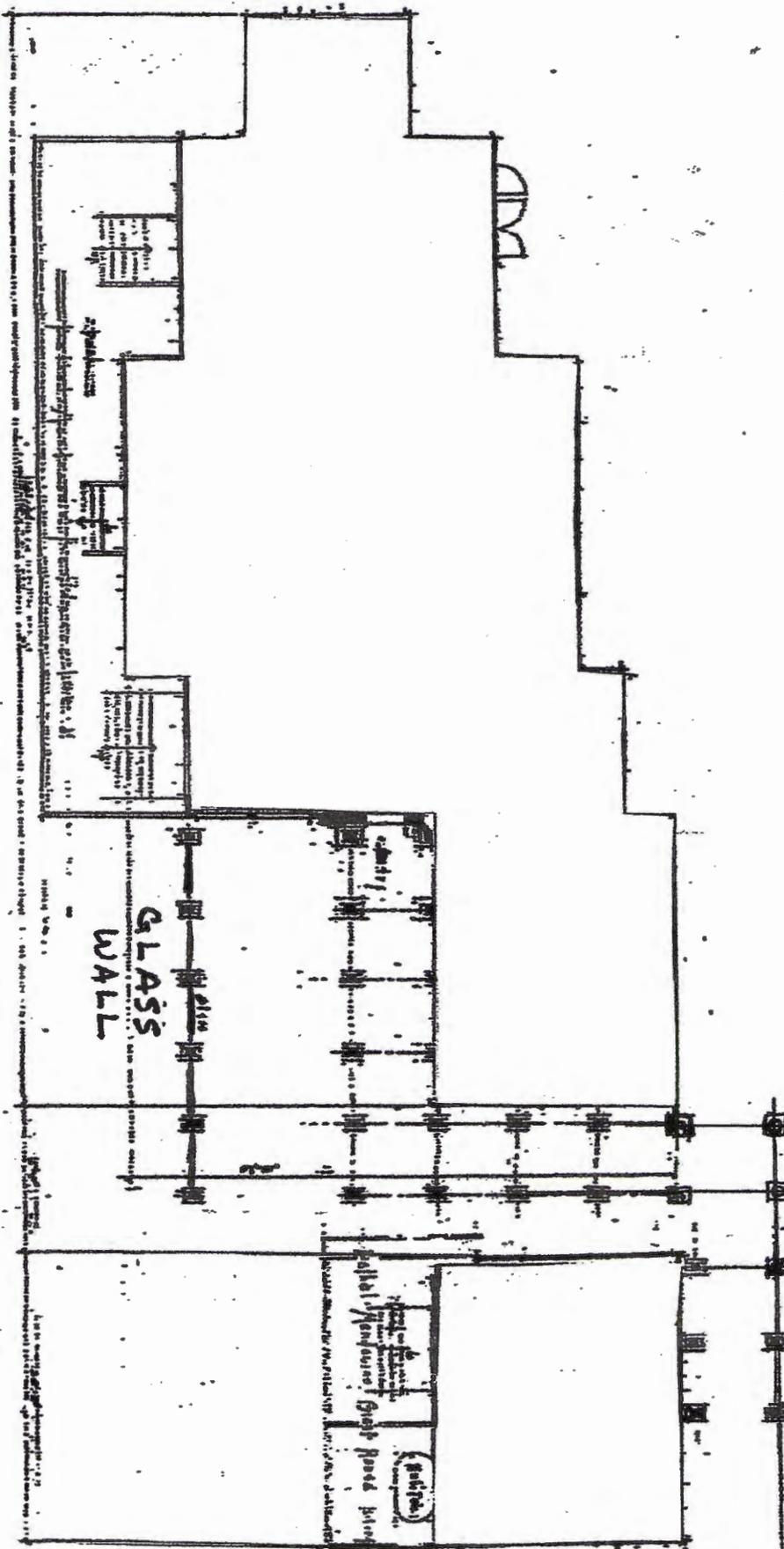
# Exhibit 5 - BB1 From Headlands



# Exhibit 5 - BB3 From Headlands



BB1 FLOORPLAN OUTLINE



Handwritten notes and arrows pointing to specific features on the elevation drawing.



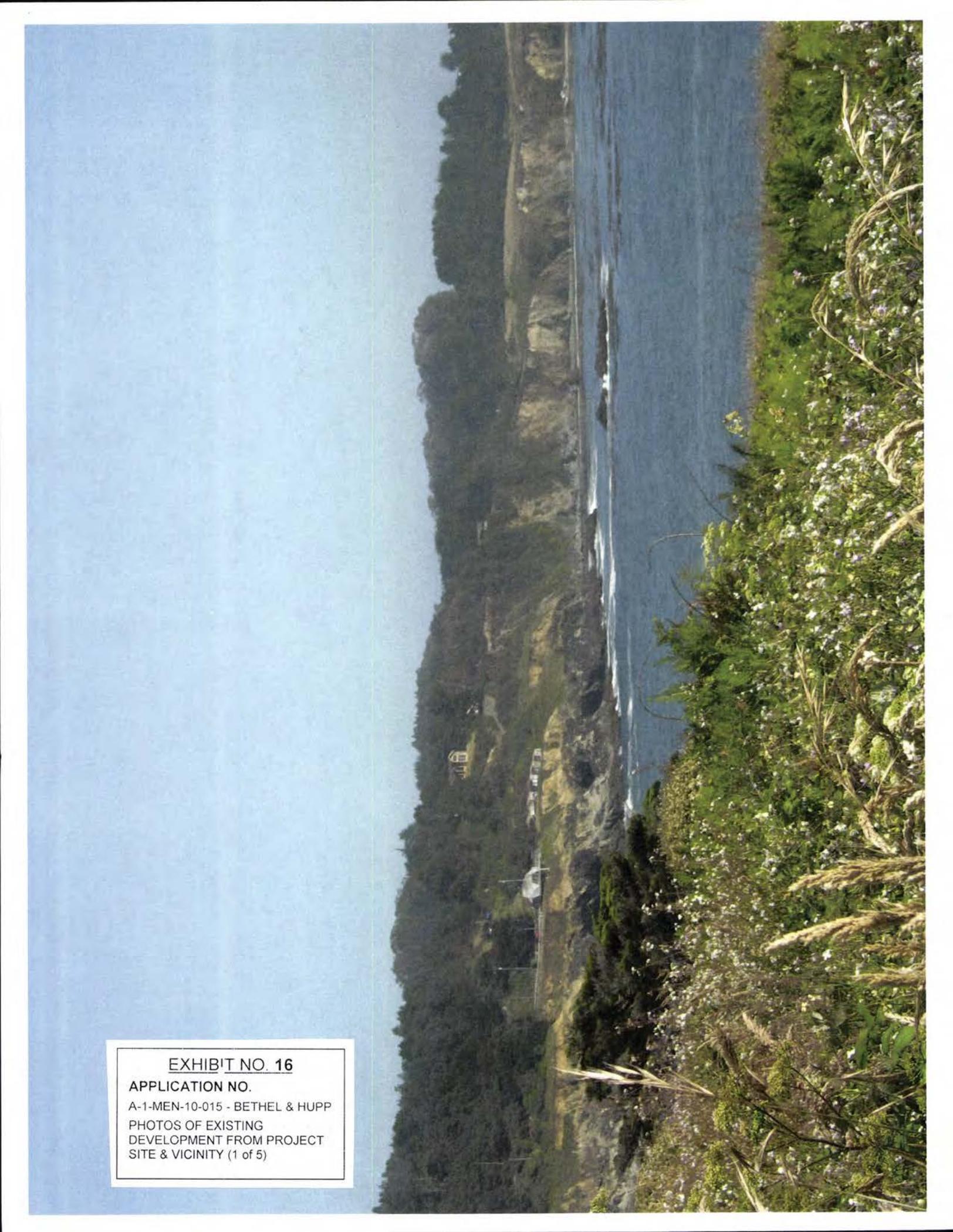


EXHIBIT NO. 16

APPLICATION NO.

A-1-MEN-10-015 - BETHEL & HUPP

PHOTOS OF EXISTING  
DEVELOPMENT FROM PROJECT  
SITE & VICINITY (1 of 5)



09/07/2012 12:06



09/14/2012 19:19



Northeastern elevation



Eastern Elevation



View of Mendocino Headlands (background) from house, and showing house trim colors.

# Amy Wynn Coastal Development Permits

Land Use Consulting  
703 North Main Street  
Fort Bragg, CA 95437  
phone: 707 964 2537  
fax: 707-964-2622  
www.AmyWynnCDP.com

RECEIVED  
SEP 10 2012  
CALIFORNIA  
COASTAL COMMISSION

September 5, 2012

Tamara Gedik, Planner  
California Coastal Commission, North Coast Office  
710 E Street, Suite 200  
Eureka, CA 95501

RE: A-1-MEN-10-015 (Bethel/Hupp) – Public Hearing, Request for Postponement  
9490 North Highway One  
Mendocino, CA 95460  
APN 119-320-04-00

Dear Tamara,

Thank you for your attention to this project.

On behalf of the applicant, Barbara Bethel, we would like to have this item postponed to a subsequent Coastal Commission meeting. We are not prepared to respond to the staff recommendation at the meeting for which the vote on our application is scheduled.

The applicant, Barbara Bethel, acknowledges that:

1. The applicant's request is being made pursuant to their one right of postponement pursuant to the Commission's regulations Section 13073(a), and
2. The applicant acknowledges this waives her right to any applicable time limits for Commission action on this application.

Please let me know if you need anything further from me regarding this request.

All the best,

SIGNATURE ON FILE

Amy

EXHIBIT NO. 17

APPLICATION NO.

A-1-MEN-10-015 - BETHEL & HUPP  
APPLICANT'S REQUEST FOR  
POSTPONEMENT OF  
SEPTEMBER 13, 2012 HEARING

Encl: n/a

CC: Barbara Bethel, applicant; John Beisher, attorney

Barbara Bethel  
PO Box 932  
Pismo Beach, CA 93448

17 July 2013

Alison Dettmer  
Deputy Director, North Coast District  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219

Bob Merrill and Tamara Gedik  
California Coastal Commission, North Coast Office  
1385 8<sup>th</sup> Street, Suite 130  
Arcata, CA 95521

RE: Bethel Residence – 9401 North Highway One, Mendocino, CA  
A-1-MEN-10-015

Thank you for the December 13 meeting in the San Francisco regional office with myself, Amy Wynn, David Neish and son, and your staff members Bob Merrill and Tamara Gedik.

It is apparent to me that I have the same goal as the CCC regarding my home. I have attempted to make this residence less prominent and sited into the lot. I have shown thru my many submissions to the CCC how I have done so with the approval of the Mendocino County Planning and Building Departments.

As requested, I submit the enclosed suggestion to reduce window glazing and change the window trim color to satisfy the concerns of the CCC for less visual prominence.

Therefore, I request that the Project Description be revised as such:

Original Project Description (as approved by County):

'Modify coastal development permit granted for development of a single-family residence to (1) substitute guest bedroom for previously approved guest cottage, (2) alter approved building footprint and increase total development from 4,229 sq. ft. to 4,563 sq. ft., (3) add additional windows, and (4) authorize temporary occupancy of travel trailer during construction.'

EXHIBIT NO. 18

APPLICATION NO.

A-1-MEN-10-015 - BETHEL & HUPP

APPLICANT'S SUBMITTAL WITH  
VISUAL SIMULATIONS FOLLOWING  
AUGUST 30, 2012 COMMISSION  
STAFF REPORT (1 of 14)

RECEIVED

JUL 17 2013

CALIFORNIA  
COASTAL COMMISSION

Proposed Revised Project Description:

'Modify coastal development permit granted for development of a single-family residence to (1) substitute guest bedroom for previously approved guest cottage, (2) alter approved building footprint and increase total development from 4,229 sq. ft. to 4,563 sq. ft., (3) add additional windows, including approximately 150 SF of windows on the western elevation, (4) authorize temporary occupancy of travel trailer during construction, (5) paint west facing window and siding trim dark brown, (6) delete from previous approval approximately 450 sq ft of light-colored raised foundation, and (7) delete from previous approval approximately 1,470 sq ft of light-colored landscaping and retaining walls.'

I request that you approve the enclosed proposals and release my home for the completion of construction.

Barbara Bethel

I submitted an extensive analysis of the CDPM #98-2001 (2005) approved residence with the current subject residence of A-1-MEN-10-015 in my submission of 23 January 2012. To restate some facts about how I have made the current Mendocino County Building and Planning Dept approved existing residence less prominent than the CDPM #98-2001(2005):

1. Lowered the house into the lot: Roof peak is 3 feet lower.
2. Lowered the house into its raised foundations and eliminated all lot retaining walls which resulted in removing 1,300 sq ft of approved light colored stone.
3. Moved the majority of the house east on the lot, making it less prominent on the west side. Reduced the great room west elevation from 33 feet in length to 22 feet in length.
4. Attached the guest cottage, reducing the north-south lot disturbance by 18 feet.

It was always my intention to blend the house into its setting by doing the above and by selecting colors that exist on the lot naturally for the exterior colors. The CDP #98-2001(2005) approved colors included: slate colored roofing, brown stain and a light colored stone mixture of colors taken from the stones occurring naturally on the lot.

I have shown my willingness to work with the CCC to resolve this situation for both of us by submitting everything asked of me during these three years and by suggesting alternatives for discussion. I submitted the first request for information on August 24, 2010 with suggestions for resolution. When additional information was requested, I submitted what was requested on March 28, 2011 with a required matrix and costs. When even more information was requested, I submitted an extensive package of information, analysis and suggestions for resolution on 23 January 2012. Then, to my surprise and without any contact to me or my consultant, a denial was recommended in the 8/30/12 Staff Report.

In our discussion in December, I reiterated 2 previous suggestions to reduce prominence: reduce glazing with a "window box" and paint the west trim dark brown. These 2 were suggested in the previous submissions of August 4, 2010 and March 28, 2011.

After hearing Tamara's need for more detail, and as I promised to do, I spent much time on site with a contractor and with my architect and suggest the enclosed additional revised architectural details as a way to reduce the glazing while maintain the architectural design integrity of the house. I spent many days with my architect and graphic artist and submit the enclosed architectural renderings labeled Exhibits 1.

To summarize:

1. I suggest covering the great room rake windows entirely with the house siding material.
2. I suggest covering 28 inches of the upper windows in the great room west side with the window siding trim material. That will create a plane in the interior of the great room so that the east windows and the west windows look the same. It will maintain the architectural integrity on the interior as well as the exterior.
3. That same plane/line created in the great room will extend to the library, main bath and office windows, reducing them by @ 12" at the top.
4. Drywall will cover the interior tops of the windows down to the point of the exterior coverings. See attached interior graphic of existing windows and proposed change.

The architectural details, Exhibit 1, show there will be framing members on the interior to which the drywall will be applied. On the exterior, the tops of the windows will be covered with the existing window trim MiraTec product in such a way that it will be screwed into the framing around the windows. This will create a solid window trim detail which coordinates with the window trim detailing on the rest of the house.

In total, I submit approximately 125 sq ft of window glazing reduction from the existing window coverage, which equates to a total increase of 157 sq ft over CDPM #98-2001(2005). CDPM #98-2001(2005) approved approximately 315 sq ft of foundation stone and 1,470 sq ft of light-colored stone in landscaping and retaining walls. As an offset to the additional 157 sq ft of glazing, I eliminated approximately 450 sq ft of light-colored raised foundations and built none of the 1,470 sq ft of landscaping and retaining walls.

<b>Design</b>	<b>Window area (SF)</b>	<b>Δ from CDPM #98-2001(2005)</b>	<b>Δ from Proposed Revision</b>
CDPM #98-2001(2005)	1,015	0	-157
BF #2006-1024	1,188	+173	+16
Existing SFR	1,297	+282	-125
Proposed Revision	1,172	+157	0

- As previously submitted, CDPM #98-2001(2005) had approximately 1,015 sq ft of glazing. The Mendocino County Building and Planning departments in the issuance of the 2007 Building Permit approved 1,188 sq ft of glazing. The current residence has 1,297 sq ft of glazing. By reducing this glazing as suggested from 1,297 to 1,172, the glazing square footage is less than what was approved by the Mendocino County Building and Planning departments in the issuance of the 2007 Building Permit for 1,188 sq ft. Comparing the proposed glazing of 1,172 sq

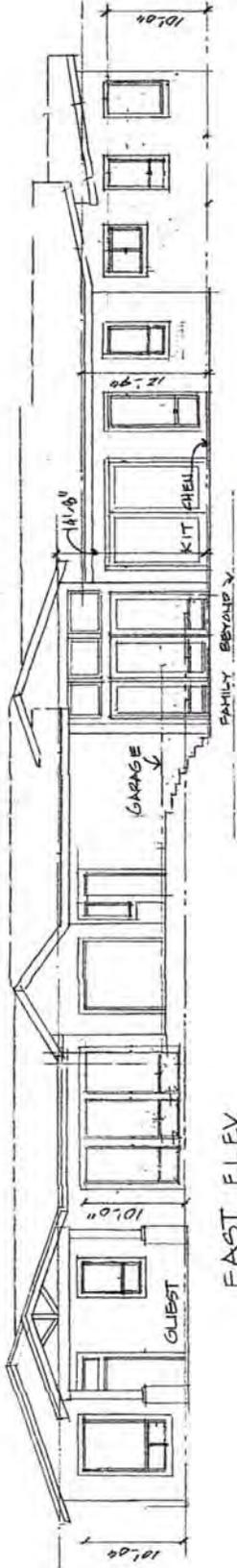
ft to the CDPM #98-2001(2005) approved 1,015 sq ft, I request approval for only an additional approximate 157 sq ft of glazing or 15%.

In addition, I submit Benjamin Moore, JAVA color, Exhibit 2, to repaint the west face of the siding and window trim dark brown.

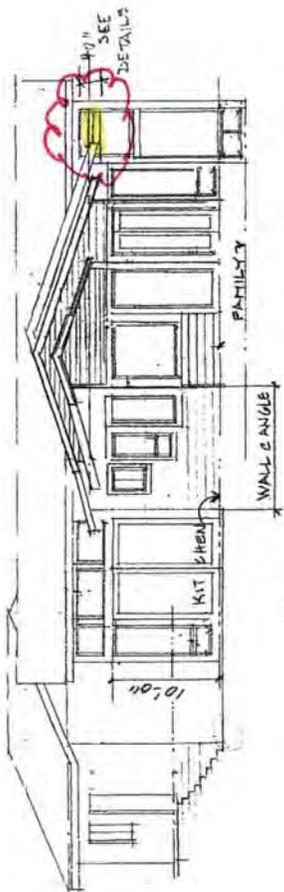
Refer to the submitted photo shop renderings, Exhibits 3 thru 8. I submit photos of the current residence I took from the center of Mendocino and the furthest point south on the Headlands. The graphics show what the house will look like with the proposed window reduction and the proposed color change. It goes without saying that these photos are greatly enlarged and the actual house from the 2 vantage points is very much smaller than these graphic images.

I ask that you accept the proposed changes as my continuing good faith effort to further satisfy your concerns and release my house for completion. Should there be a need to modify any wordings to applications, please inform me how to proceed.

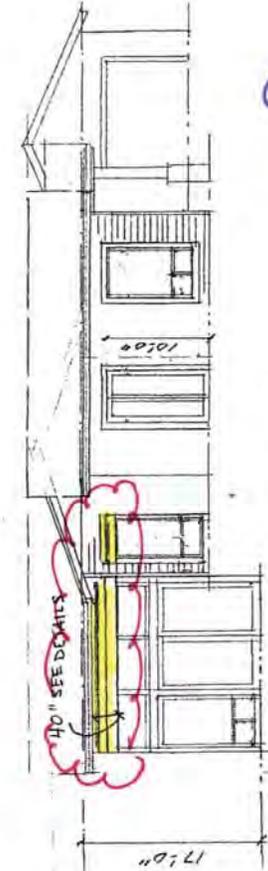
Barbara Bethel



EAST ELEV.

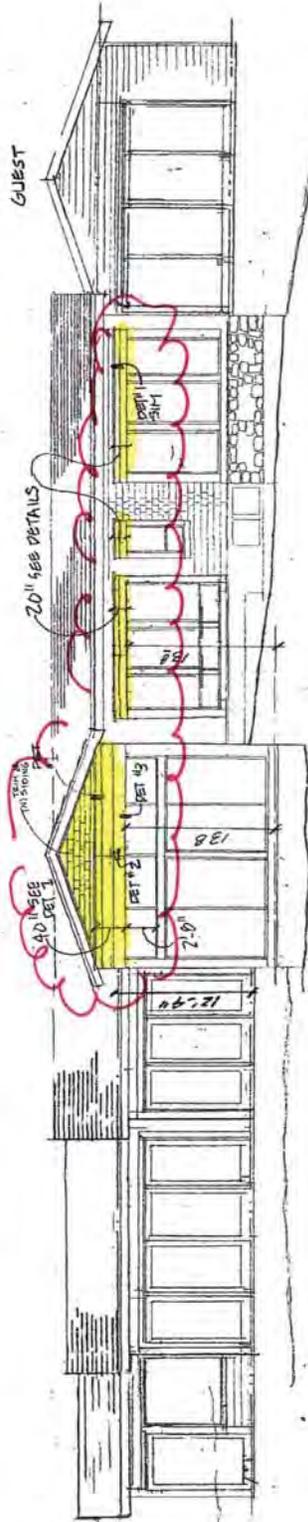


NORTH ELEV.



SOUTH ELEV.

(Supersceded by 8/16/13 revision)



WEST ELEVATION

A-1-MEN-10-015

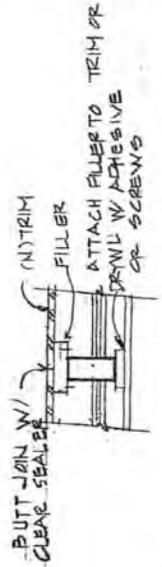
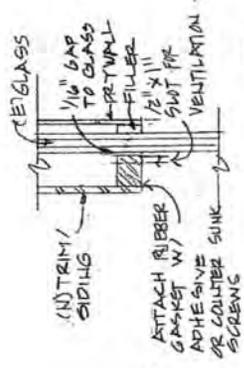
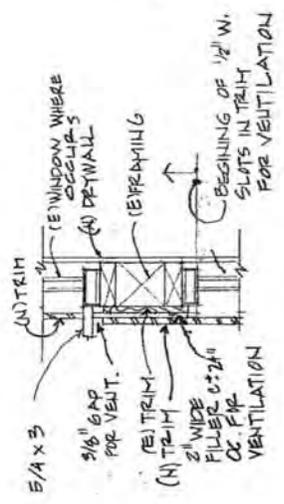
CALIFORNIA COASTAL COMMISSION

EXHIBIT 1 - MAY 2013

LIV-IN ENVIRONMENTS  
 ARCHITECTURE & SOLAR SPACE HEATING  
 GREGORY D. SOTO ARCHITECT  
 P.O. BOX 1382, ARROYO GRANDE, CA 93421  
 Lic. # C14960 (605) 481-1088

A RESIDENCE AND GUEST ROOM FOR:  
 BARBARA BETHEL

PROJECT LOCATION: 9491  
 9490 N. HIGHWAY 1 (FRONTAGE ROAD B), Mendocino, CA



1

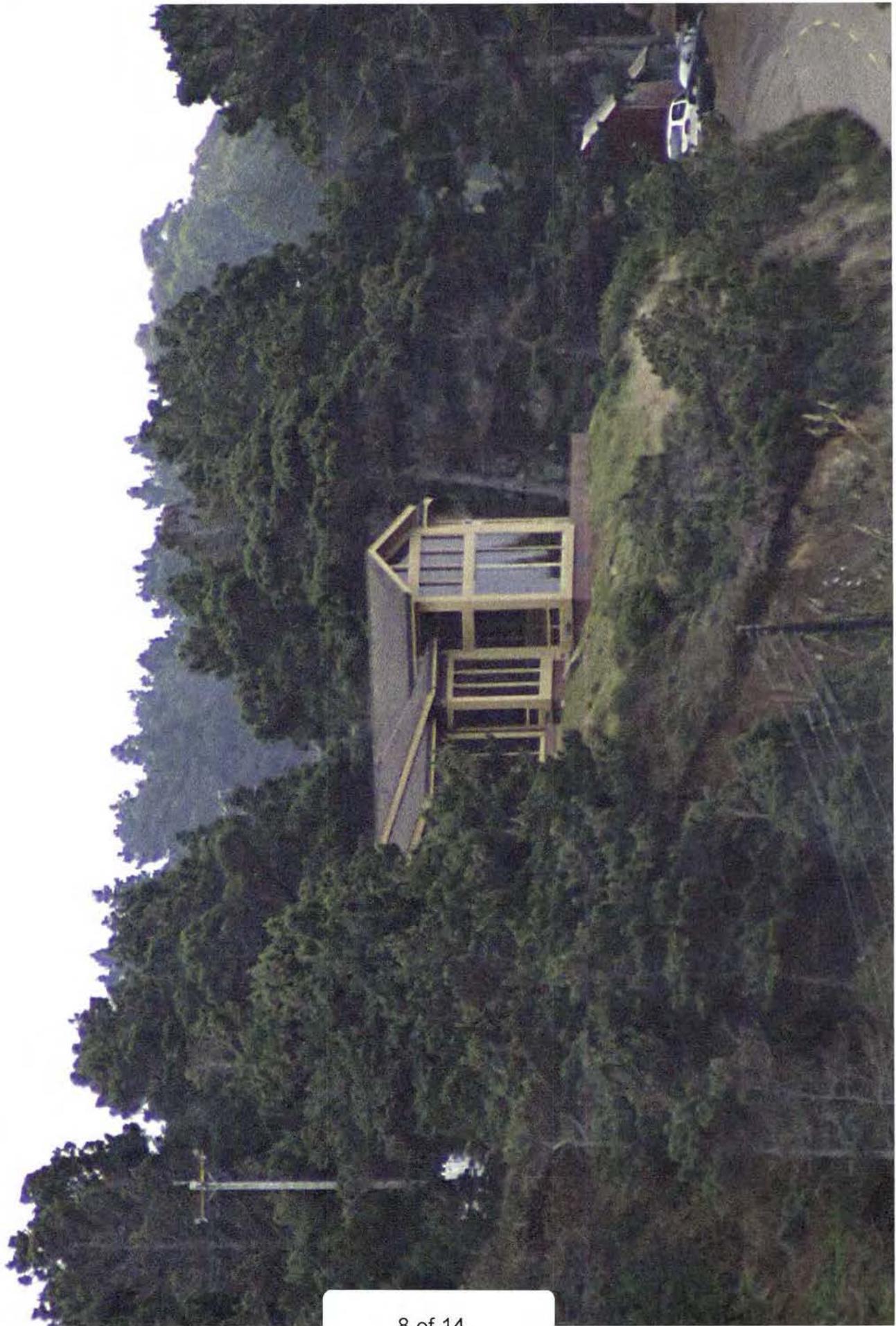
2

3

**CALIFORNIA COASTAL COMMISSION**  
**EXHIBIT 2 – MAY 2013**  
**BENJAMIN MOORE PAINT - "JAVA" -2106-10**



BENJAMIN MOORE®  
COLOR PREVIEW® 2106



Existing Bethel Residence - Town View - EXHIBIT 3



Existing Bethel Residence - Town View - With proposed window reduction and darkened trim color - EXHIBIT 4



Existing Bethel Residence - Headlands View - EXHIBIT 5



Existing Bethel Residence - Headlands View - With proposed window reduction and darkened trim color - EXHIBIT 6



Existing Bethel Residence - Interior Great Room - EXHIBIT 7



Existing Bethel Residence - Interior Great Room - With proposed window reduction in drywall - EXHIBIT 8

# MIRATEC®

Treated Exterior Composite TRIM

## MiraTEC Trim

### PERFORMANCE

see less

Made from the patented TEC™ process, MiraTEC® Treated Exterior Composite trim combines the eye-catching beauty of cedar with the long-lasting performance of an engineered product. Because it is not hardboard, MiraTEC trim will not delaminate, is moisture, rot and termite resistant, and is backed by a 50-year limited warranty.

MiraTEC Treated Exterior Composite Trim is the first and only wood composite trim to earn an evaluation report from ICC Evaluation Service (ICC-ES). To view ESR-3043, visit the ICC website at: [http://www.icc-es.org/reports/pdf\\_files/ICC-ES/ESR-3043.pdf](http://www.icc-es.org/reports/pdf_files/ICC-ES/ESR-3043.pdf)

Competitive and long term performance testing shows MiraTEC resists moisture, rot and termites and outperforms the competition. **Moisture resistant:** As measured by ASTM D1037 for water absorption and thickness swelling. **Rot resistant:** Tested per AWPA E16 Field Test for Evaluation of Wood Preservatives to be Used Out of Group Contact: Horizontal Lap-Joint Method. **Termite resistant:** As measured by AWPA E7 Standard Method of Evaluating Wood Preservatives by Field Tests with Stakes.



*Reversible smooth  
or textured surface  
gives MiraTEC  
maximum versatility*





703 North Main Street, Fort Bragg CA 95437  
ph: 707-964-2537 fx: 707-964-2622  
www.WCPlan.com

August 19, 2013

Tamara Gedik, Coastal Program Analyst  
California Coastal Commission, North Coast Office  
1385 8<sup>th</sup> Street, Suite 130  
Arcata, CA 95521

RE: A-1-MEN-10-015 (Bethel/Hupp) – response to Gedik August 16, 2013 email  
9401 Brewery Gulch Road (Road 500B)  
Mendocino, CA 95460  
APN 119-320-04-00

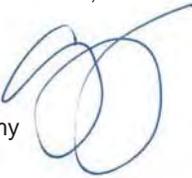
Dear Tamara,

Thank you for your continued review of this project, and for your phone and email questions on August 16 through 19<sup>th</sup>, 2013, requesting further information and clarity regarding our revised Project Description.

We have revised our Project Description according to your concerns and questions (see following pages), and I believe that we have clarified this proposal such that you can proceed with your Staff Report.

Please let us know if you have any questions or comments.

All the best,

Amy 

Amy

**EXHIBIT NO. 19**

**APPEAL NO.  
A-1-MEN-10-015  
(Bethel & Hupp)  
Applicant's Revised  
Project Description  
(1 of 18)**

Encl: n/a  
CC: Barbara Bethel, applicant; Alison Dettmer, CA Coastal Commission

**Original Project Description** (as approved by County via CDPM #98-2001(05)):

'Modify coastal development permit granted for development of a single-family residence to (1) substitute guest bedroom for previously approved guest cottage, (2) alter approved building footprint and increase total development from 4,229 sq. ft. to 4,563 sq. ft., (3) add additional windows, and (4) authorize temporary occupancy of travel trailer during construction.'

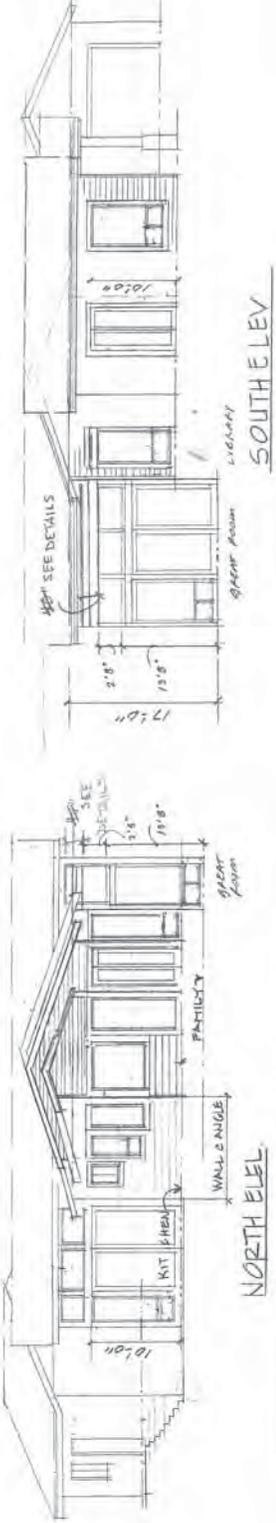
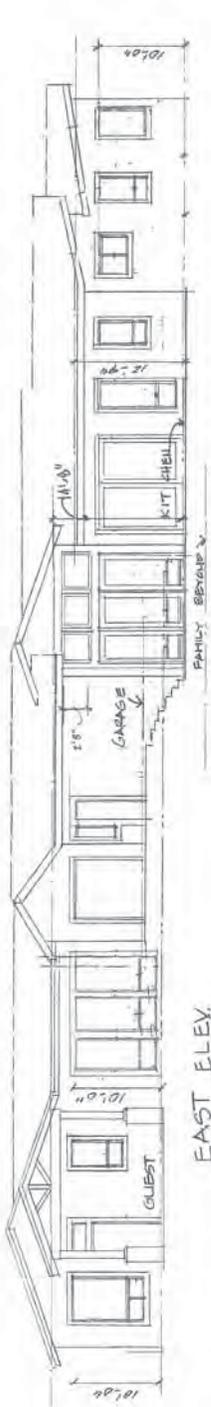
**Proposed Revised Project Description** (*revised August 19, 2013*)

This is a request to alter the previously-approved project's building footprint, resulting in a 3,988sf Single-Family Residence with an attached 575sf Garage, for a total of 4,563sf, replacing a detached Guest Cottage unit with an additional Bedroom within the Residence; appurtenant decks and walkways, driveway, well, water tank and septic system; the maximum average height of the proposed development is 18' above natural grade (**Exhibit 1**). House and Garage to be sided with fiber cement, using a Maple-simulated natural stain; stone veneer on the foundation to be Mendocino Blond; trim to be composite material, painted dark brown on North, West & South elevations; exterior lighting to be shielded and downcast (**Exhibit 2**). Request temporary occupancy of Travel Trailer during construction (**Exhibit 1**). All development to conform to setback requirements (**Exhibit 1**).

The altered building footprint shifts the residence slightly eastward on the lot, and recesses it into the natural grade, eliminating the need for stone landscaping walls and reducing the need for stone retaining/foundation wall on the western elevation to 168sf (**Exhibit 1**). The grading associated with recessing the building into the site, installing well, septic system and driveway results in approximately 270 cubic yards of cut, of which approximately 90 cubic yards are placed as fill on site, along the western elevation of the house as well as under the added parking to the south of the guest room; the approximately 180 cubic yards of export material have been relocated to the former on-site rock quarry; all grading performed according to Building Relocation Cover Sheet (December 5, 2005), Grading Plan (January 15, 2010; annotated by Wynn Coastal Planning April 20, 2010), Erosion Control Plan (December 5, 2005), Detail Sheet (December 5, 2005) and accompanying Civil Engineering Letter by Eric Jahelka (January 14, 2010) (**Exhibit 3**).

The application also requests authorization of additional window glazing on all elevations of the residence; of particular interest being the glazing on the Western Elevation, which totals 1,297sf. This application additionally proposes to cover approximately 125sf of window glazing on the Western Elevation with house siding and trim materials as detailed and specified by the Project Architect (**Exhibit 1**). We propose to accept a limitation on the colors of the drapes or blinds that might be installed within the windows to exclude white fabric or blinds.

Request to increase the tree removal to approximately twenty-six to twenty-eight trees over 12" dbh to accommodate development of the site; propose replacement of the removed trees, utilizing locally-sourced and naturalized native trees as practicable. Additionally request to modify the approved Landscape Plan to increase the number and location of screening vegetation to be planted from a minimum of seven trees to twenty-eight trees, to add low-growing evergreen shrubs along the base of the western elevation to cover the foundation and stone veneer (**Exhibit 4**), and to add low-growing evergreen groundcover west of the proposed low-growing shrubs, in order to green an exposed tan grassy knoll.



Note in window to be replaced by creating openings of the existing windows on the Elevations specified below. Utilizing "Window Boxes" as detailed on this Sheet by the Architect.

Elevation:  
 \* North: Great Room  
 \* West: Great Room, Office, Office Bathroom, Library  
 \* South: Great Room

For aesthetic continuity amongst these covered windows, the tops of these windows will maintain the same scribing elevation as the top of the Upper Row of Windows on the Western Elevation of the Great Room. See Elevations submitted on this Sheet by the Architect.

The uncovered portion of the Upper Row of Windows on the Western Elevation of the Great Room is to be 2'-8" high (13'-0" above Finish Floor of Great Room).

String-line to be pulled in field by contractor to ensure aesthetic continuity during installation of "Window Boxes."

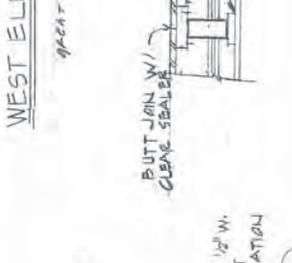
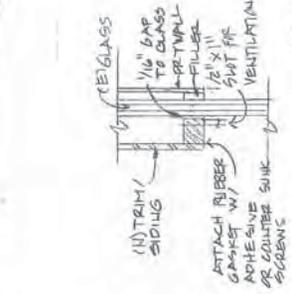
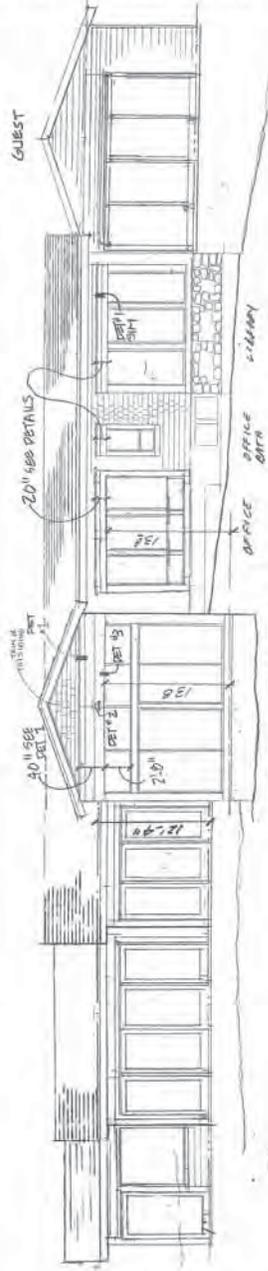
A-1-MEN-10-015  
**CALIFORNIA COASTAL COMMISSION**

**EXHIBIT 1 - MAY 2013**  
 LIVING IN ENVIRONMENTS  
 ARCHITECTURE & SOLAR SPACE HEATING  
 GREGORY D. SOTO ARCHITECT  
 P.O. BOX 1392, ARROYO GRANDE, CA 93421  
 Lic. # C14960 (805) 481-1066

A RESIDENCE AND GUEST ROOM FOR:  
 BARBARA BETHEL

PROJECT LOCATION: 4140  
 9490 N. HIGHWAY 1 (FRONTAGE ROAD B), Mendocino, CA

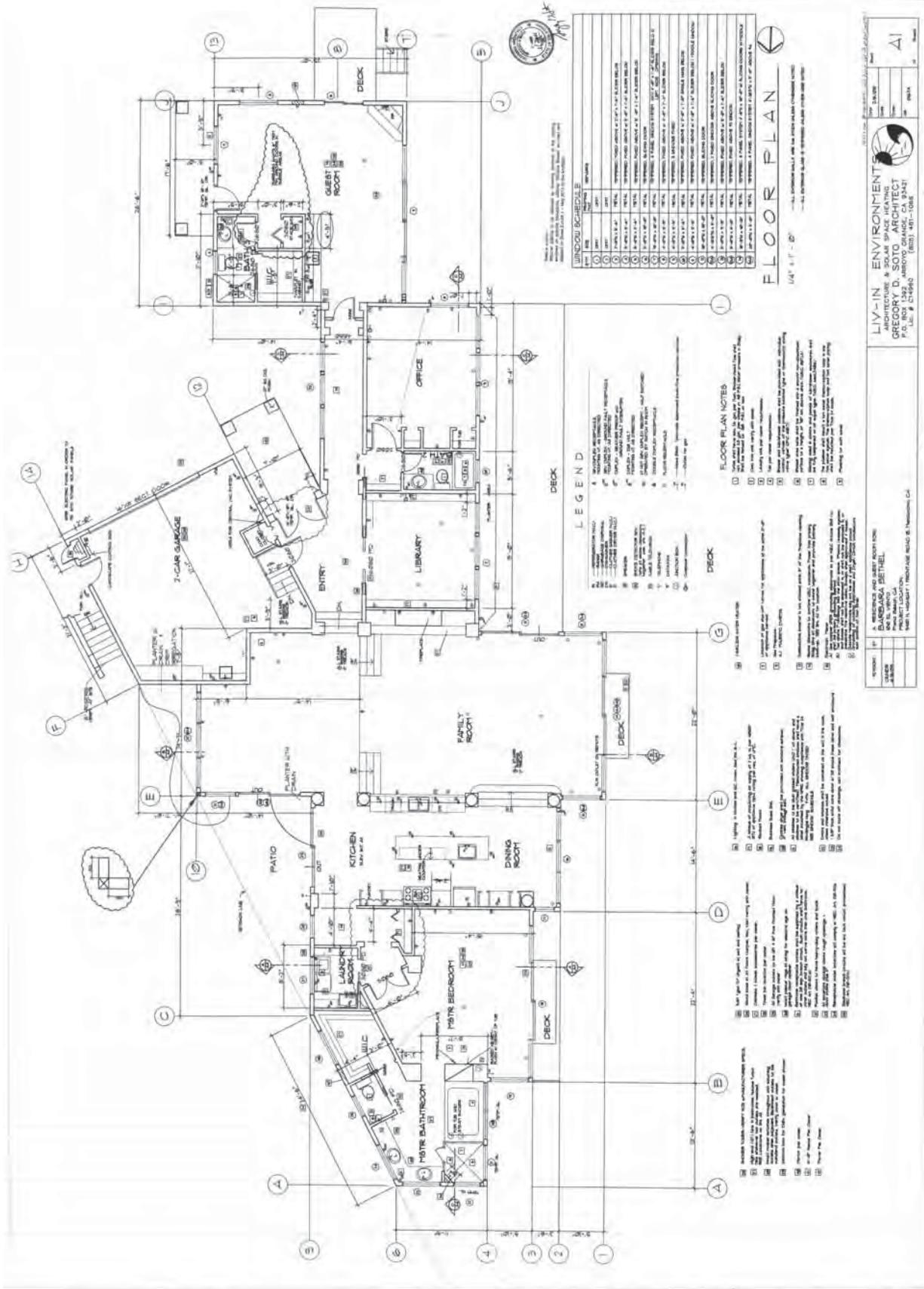
**Exhibit 1 (Page 1 of 4):**  
 Proposed Residence & Garage,  
 Elevations & Floor Plans



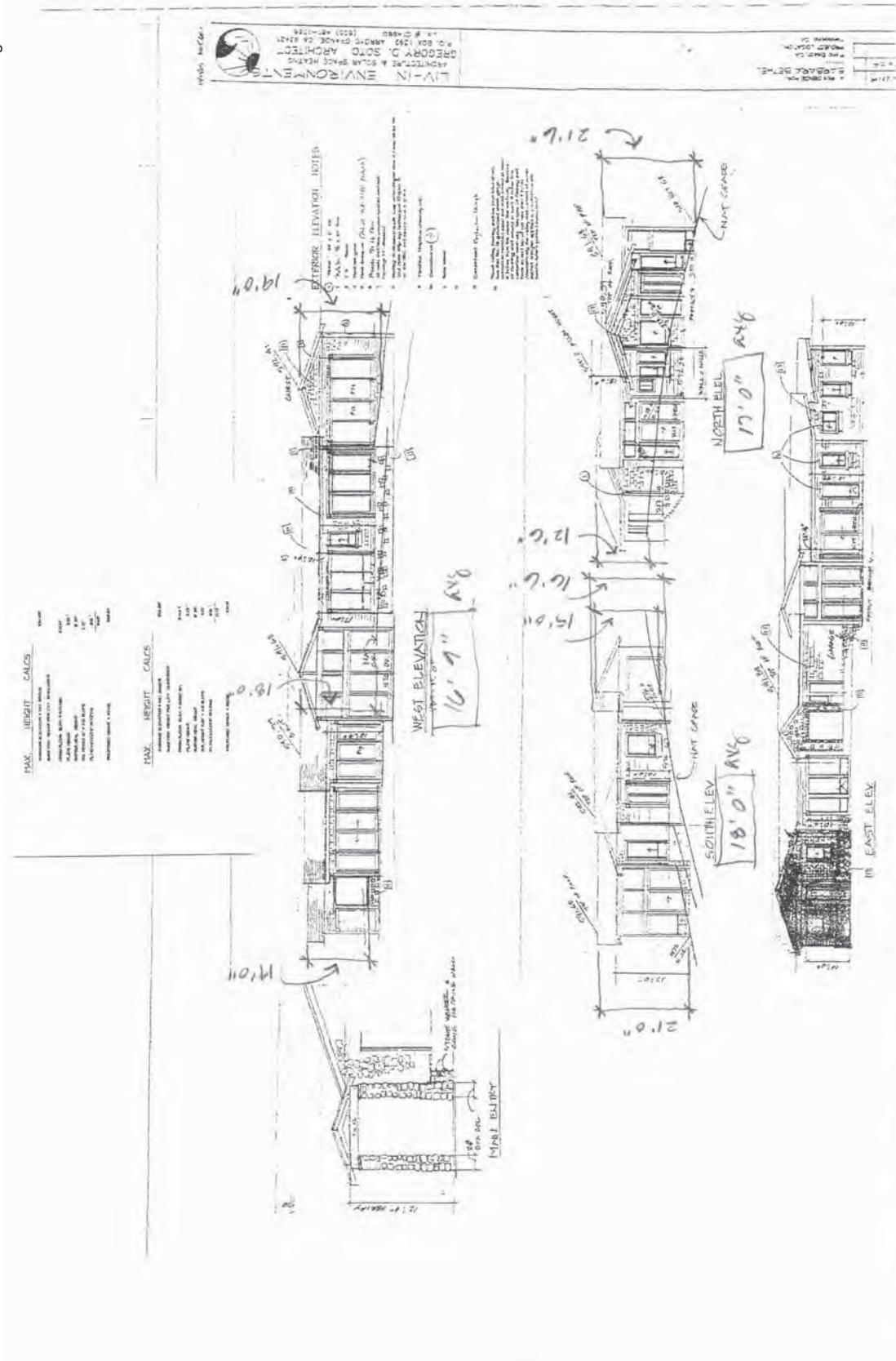
NTS. 5

NTS. 2

NTS. 1



**Exhibit 1 (Page 2 of 4):**  
 Proposed Residence & Garage,  
 Elevations & Floor Plans



*all heights are maximum ht (and average height) above natural grade.*

**Exhibit 1 (Page 3 of 4):**  
 Proposed Residence & Garage,  
 Elevations & Floor Plans

Wynn Coastal Planning

2018 14:30 8054811066 GSOTO 805-773-2181 p.1  
 PAGE 01/01

MAX. HEIGHT CALCS

	AVERAGE ELEVATION @ NAT. GRADE	576.00'
	18.00 MAX HEIGHT PER CITY STANDARDS	
→	MAXIMUM ALLOWABLE HEIGHT @ RIDGE	594.00'
	FINISH FLOOR ELEV. @ KITCHEN	572.34'
	PLATE HEIGHT	12.33'
	RAFTER HEAL HEIGHT	0.83'
	R.R. HEIGHT 16' @ 4:12 SLOPE	5.33'
	PLYWOOD/COMP ROOFING	0.16'
		<hr/> 18.65'
→	PROPOSED HEIGHT @ RIDGE AT KITCHEN	590.99'
	THEREFORE HEIGHT IS LOWER THAN 18'-0"	

14.29' N.G.

MAX. HEIGHT CALCS

	AVERAGE ELEVATION @ NAT. GRADE	576.00'
	18.00 MAX HEIGHT PER CITY STANDARDS	
→	MAXIMUM ALLOWABLE HEIGHT @ RIDGE	594.00'
	FINISH FLOOR ELEV. @ GUEST RM.	574.67'
	PLATE HEIGHT	12.33'
	RAFTER HEAL HEIGHT	0.83'
	R.R. HEIGHT 13.25' @ 4:12 SLOPE	4.42'
	PLYWOOD/COMP ROOFING	0.16'
		<hr/> 17.74'
→	PROPOSED HEIGHT @ RIDGE AT GUEST	592.41'
	THEREFORE HEIGHT IS LOWER THAN 18'-0"	

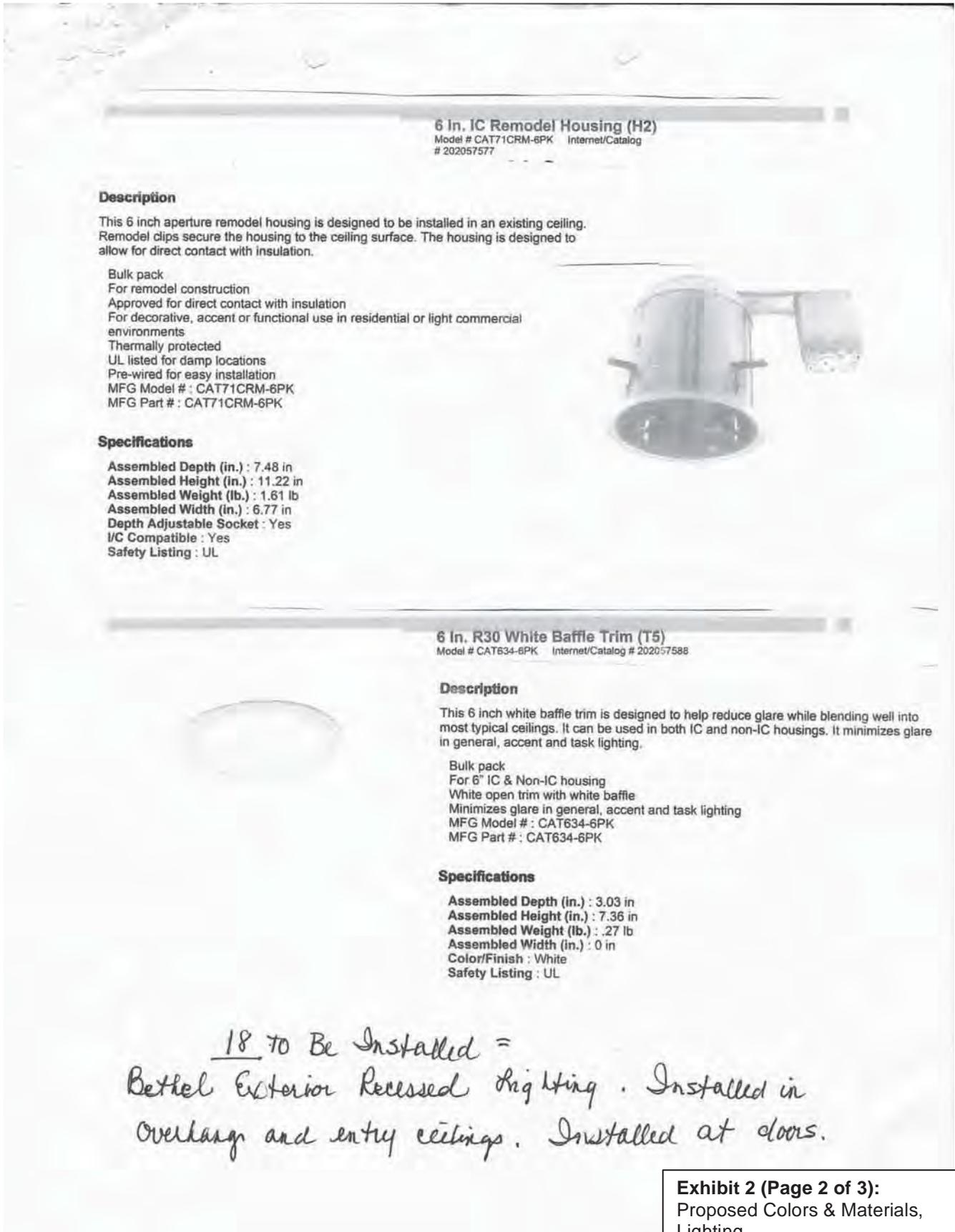
16.41' N.G.

The entire house was lowered 2 feet.  
 Then the kitchen went down 54 inches further.  
 That makes it 6.5 feet lower than it could have been in BB1.

 <p><b>Roofing:</b> Composition shingle, GAF (Elk) Grand Sequoia; "Cedar"</p>	
 <p><b>Stone:</b> Stone Veneer by McIntyre; Mendocino Blonde, custom blend to match native rock on site.</p>	<p><b>Trim (north, west, south):</b> Composite; Benjamin Moore, Java, 2106-10</p>
 <p><b>Siding:</b> Fiber cement, Certaineed Perfection Shingles; Mason Select Maple, custom simulated natural wood stain</p>	 <p><b>Trim (east):</b> Composite; Benjamin Moore, tan to match rock on site</p>

(7 of 18)

**Exhibit 2 (Page 1 of 3):**  
Proposed Colors & Materials,  
Lighting



**6 In. IC Remodel Housing (H2)**  
Model # CAT71CRM-6PK Internet/Catalog # 202057577

**Description**

This 6 inch aperture remodel housing is designed to be installed in an existing ceiling. Remodel clips secure the housing to the ceiling surface. The housing is designed to allow for direct contact with insulation.

- Bulk pack
- For remodel construction
- Approved for direct contact with insulation
- For decorative, accent or functional use in residential or light commercial environments
- Thermally protected
- UL listed for damp locations
- Pre-wired for easy installation
- MFG Model # : CAT71CRM-6PK
- MFG Part # : CAT71CRM-6PK



**Specifications**

- Assembled Depth (in.) : 7.48 in
- Assembled Height (in.) : 11.22 in
- Assembled Weight (lb.) : 1.61 lb
- Assembled Width (in.) : 6.77 in
- Depth Adjustable Socket : Yes
- I/C Compatible : Yes
- Safety Listing : UL

**6 In. R30 White Baffle Trim (T5)**  
Model # CAT634-6PK Internet/Catalog # 202057588

**Description**

This 6 inch white baffle trim is designed to help reduce glare while blending well into most typical ceilings. It can be used in both IC and non-IC housings. It minimizes glare in general, accent and task lighting.

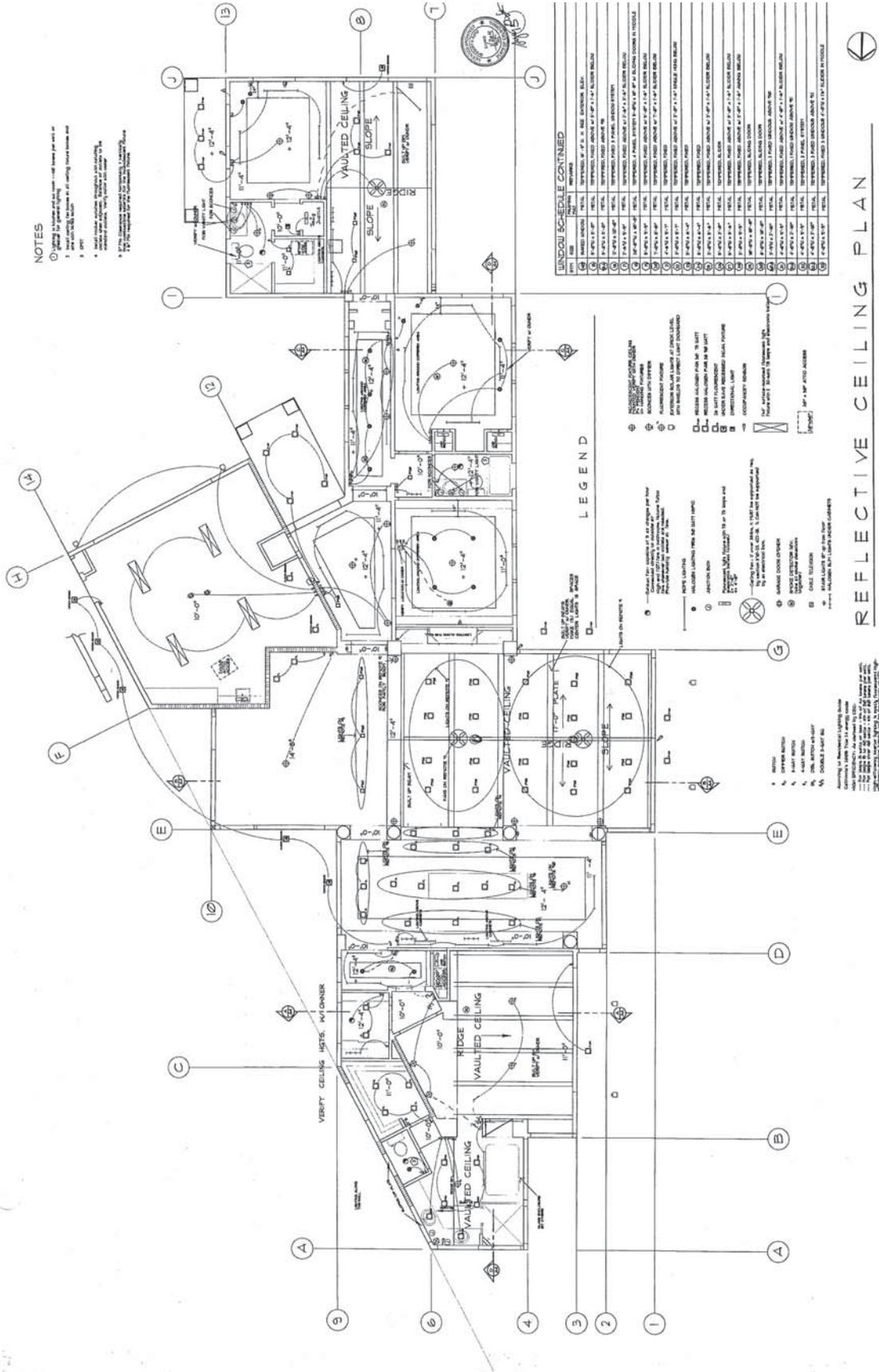
- Bulk pack
- For 6" IC & Non-IC housing
- White open trim with white baffle
- Minimizes glare in general, accent and task lighting
- MFG Model # : CAT634-6PK
- MFG Part # : CAT634-6PK

**Specifications**

- Assembled Depth (in.) : 3.03 in
- Assembled Height (in.) : 7.36 in
- Assembled Weight (lb.) : .27 lb
- Assembled Width (in.) : 0 in
- Color/Finish : White
- Safety Listing : UL

*18 to Be Installed =  
Bethel Exterior Recessed Lighting. Installed in  
Overhang and entry ceilings. Installed at doors.*

**Exhibit 2 (Page 2 of 3):**  
Proposed Colors & Materials,  
Lighting



**Exhibit 2 (Page 3 of 3):**  
 Proposed Colors & Materials,  
 Lighting

## BETHEL RESIDENCE

1 PARCEL ON 4.25 ACRES LOCATED AT 9401  
 N. HIGHWAY 1 LOCATED ON FRONTAGE  
 ROAD B, CR 500B  
 APN 119-320-0104  
 MENDOCINO, CALIFORNIA

### GENERAL NOTES

1. MAINTAIN EXISTING UTILITIES. ALL UTILITIES FOR THIS SERVICE ARE BASED UPON CALTRANS (M&E) PLANS AND RECORDS FOR RECORD DRAWING, RECORD MAP (ILLUSTRATION - 375101).
2. EXISTING UTILITIES SHALL BE MAINTAINED UNLESS OTHERWISE NOTED.
3. ALL CONSTRUCTION AND MATERIALS SHALL CONFORM TO THESE PLANS AND THE APPLICABLE CALTRANS AND CALIFORNIA STATE AND FEDERAL SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, CALTRANS AND THE CALIFORNIA CHAPTER 20A.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FEDERAL, STATE, AND LOCAL PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FEDERAL, STATE, AND LOCAL PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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### CONSTRUCTION NOTES

1. MATERIALS, TRENCH EXCAVATION, PIPE LAYING AND INSTALLATION, EXCAVATIONS SHALL MEET THE REQUIREMENTS OF ALL STANDARD CONSTRUCTION SPECIFICATIONS OF THE COUNTY.
2. THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND LABOR TO COMPLETE THE WORK.
3. ALL MATERIALS SHALL BE PROPERLY STORED, IDENTIFIED, AND TESTED AS REQUIRED.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FEDERAL, STATE, AND LOCAL PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY FEDERAL, STATE, AND LOCAL PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

VICINITY MAP

### LEGEND

1	EXISTING ROAD
2	EXISTING SIDEWALK
3	EXISTING DRIVEWAY
4	EXISTING UTILITY
5	EXISTING CURB
6	EXISTING GUTTER
7	EXISTING DRAINAGE
8	EXISTING FENCE
9	EXISTING WALL
10	EXISTING SIGN
11	EXISTING LIGHT
12	EXISTING TREE
13	EXISTING PLANT
14	EXISTING LANDSCAPE
15	EXISTING FURNITURE
16	EXISTING STRUCTURE
17	EXISTING CONSTRUCTION
18	EXISTING EROSION CONTROL
19	EXISTING PROPOSED
20	EXISTING PROPOSED

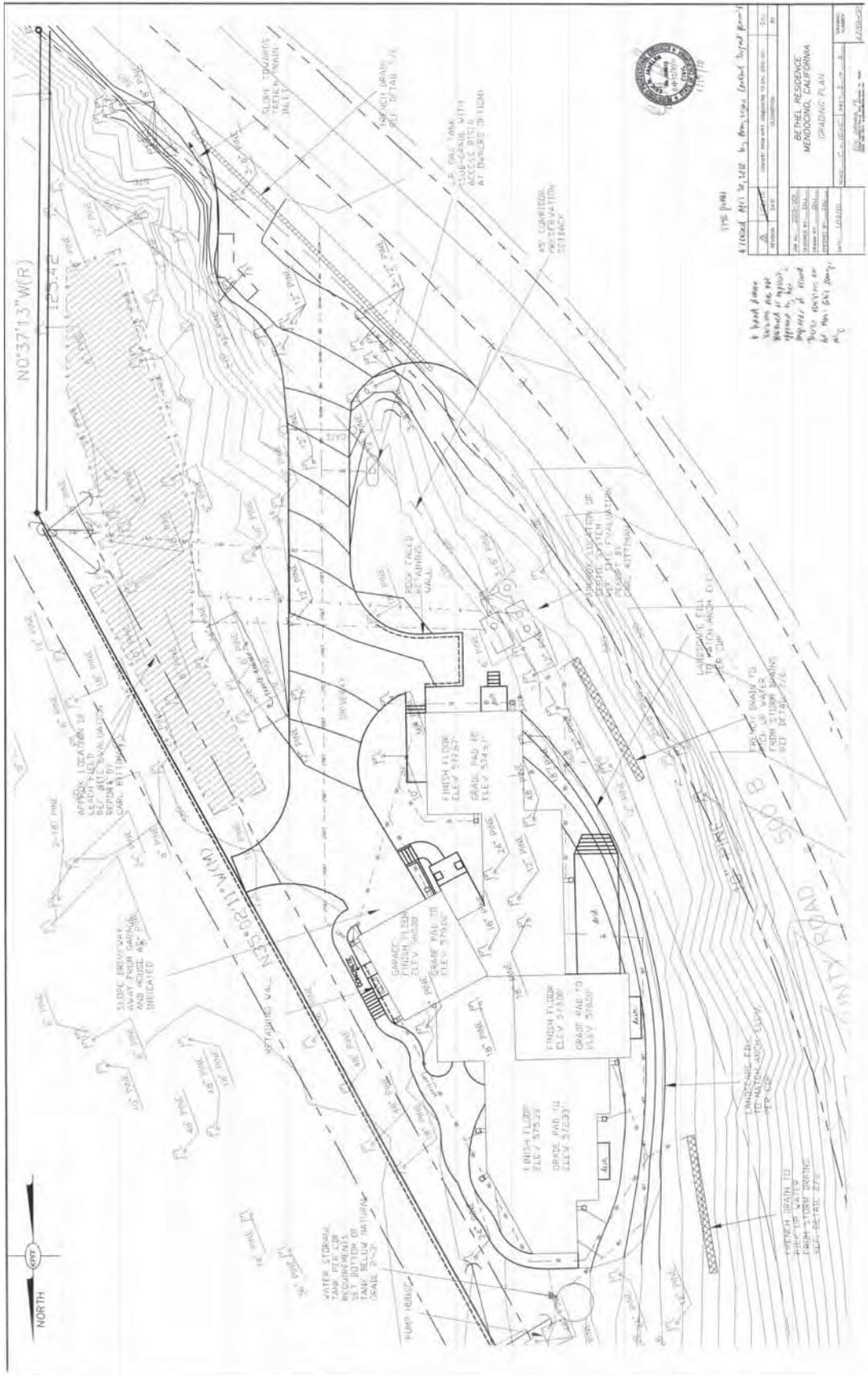
### SHEET INDEX

- 1 COVER SHEET
- 2 EXISTING CONDITIONS PLAN
- 3 GRADING PLAN
- 4 EROSION CONTROL PLAN
- 5 PROFILE SHEET
- 6 DETAIL SHEET

RECEIVED  
 THE CITY OF MENDOCINO  
 PLANNING DEPARTMENT

DATE	12/17/13
BY	PLANNING DEPARTMENT
PROJECT	BETHEL RESIDENCE
LOCATION	MENDOCINO, CALIFORNIA
DATE	12/17/13
BY	PLANNING DEPARTMENT

Exhibit 3 (Page 1 of 6):  
 Building Relocation Cover Sheet



**Exhibit 3 (Page 2 of 6):**  
 Grading Plan





Eric Jahelka, PE  
25202 Hideout Falls  
San Antonio, TX 78261  
Ph# 503.348.3414  
[e.jahelka@shakubuku.me](mailto:e.jahelka@shakubuku.me)

Date: January 14, 2010

Barbara Bethal  
P.O. Box 1688  
Mendocino, CA 95460

RE: Coastal Development Permit Application No. : CDP 98-01(09)  
Site Address: 9590 N.Hwy 1  
Assessor's Parcel No.: 119-320-04

Barbara,

This letter is written in response to the County of Mendocino, Department of Planning and Building Services clarification letter dated November 12, 2009 concerning proposed changes to your Coastal Development Permit. From an engineering standpoint, the proposed changes are a representation of the current as-built conditions and further modifications required for completion of the project.

On December 3<sup>rd</sup>, 2009, I visited the site and reviewed available documentation with you and Mel Caldwell (via phone conference) to access the current state of the project and gain an understanding of the County's needs to rectify the apparent permit deficiencies. Following the conference call, I walked the site with you and the project foremen and reviewed the structural elements that had been installed. The structural system was compared to a mark-up that I had prepared in the field for the previous contractor in the spring of 2008. It is my understanding that the Architectural and structural changes have not been formalized with the county and will be part of our effort following the coastal development permit modification. In reviewing the as-built condition, it is my belief that the structural components were installed in general conformance with the mark-ups that were provided, and should need minor modification to complete a code compliant structure. I am recommending that we not perform the final calculations or revise the structural drawings until after the county has made their recommendations to the Coastal Permit Administrator.

In reviewing overlays of the approved site plan from 2005 and the proposed site plan, I believe that the as-built site placement poses no additional risk than the placement of the originally approved structure. In fact, I do not believe that the existing structure is located any closer to the sea bluff with the exception of a small section of decking. In addition, I have reviewed Jim Glomb's geological evaluation dated January 11, 2010, and concur with his findings. Based on these two comparisons, the modifications to the floor plan and its placement on the site has resulted in a negligible change in geologic/geotechnical risk.

**Exhibit 3 (Page 5 of 6):  
Jahelka Civil Engineering Letter**

The proposed septic system has been revised and permitted by environmental health. I reviewed the layout drawings provided in Carl Rittman's site evaluation that moved the leach field to the south of the garage on the east side of the property, as well as moving the tanks and treatment system to the north of its original location. It appears that the system is slightly southwest of the guest suite.

In reconfiguring of the floor plan, there was a significant amount of excavation added to step the interior levels. Although there is minimal information available as to how much soil was exported, it is assumed to be approximately 270 yards based on rough calculations. The calculations simply add the additional yards removed to achieve the multi level residence. The minor changes to the exterior were ignored and assumed to be a deduction to exported material due to the joining of the guest house to the main residence. Of the 270 yards, approximately 90 yards will be replaced as fill for final grading. This will be used along the west elevation of the house as well as under the added parking to the south of the guest suite.

Lastly, I have reviewed the revised landscape plan for consistency with the originally approved grading and erosion plan. The erosion plan is generally still valid. The features of work are still relevant and should be affective at protecting the offsite resources as long as the systems are installed and maintained per plan. The grading plan requires minimal modifications to accommodate the current site/landscape plan. There are a few minor retaining walls required to support the added parking adjacent to the guest suite as well as to retain the corner of the garage and the relocated generator slab. Other modifications should include the addition of a second infiltration/French drain to the north of the original drain as well as additional drainage lines to feed rain water from the roof to the infiltration locations. Two additional changes are the relocation of the propane tank from the bottom of the drive to a buried site along the drive way and the relocation of the water tank to the north side of the house. Both these changes should result in less visible site improvements and should be considered positive project changes.

The remainders of the changes are documented in the architectural plans and have minimal impact to the grading and drainage. I hope that this is sufficiently inclusive for the county's review needs. I have updated the grading plan to be consistent with the as built structure and the proposed landscape. It is my understanding that the added tree removal has been handled in other documents, but I've left the original tree locations on the plan for reference. Note that only the grading plans have been updated. The details, notes ad erosion control plan are still valid. The sections have not been updated and should be considered out of date. Additional plans may be required for construction and have not been included in this review set.

Let me know if you have further questions or concerns.

Sincerely,

Eric Jahelka, PE



**Exhibit 3 (Page 6 of 6):  
Jahelka Civil Engineering Letter**





Existing Bethel Residence - Town View - With proposed window reduction and darkened trim color

**Exhibit 4: (Pg 2 of 3)**  
Proposed Modification with Landscaping  
A-1-MEN-10-015 – From Town

Wynn Coastal Planning



Existing Bethel Residence - Headlands View - With proposed window reduction and darkened trim color

**Exhibit 4: (Pg 3 of 3)**  
Proposed Modification with Landscaping  
A-1-MEN-10-015 – From Headlands

Wynn Coastal Planning

**UKIAH OFFICE**

501 LOW GAP ROAD, ROOM 1326  
UKIAH, CA 95482  
(707) 463-4466  
FAX (707) 463-4038

HAZARDOUS MATERIALS  
(707) 463-5425



**FORT BRAGG OFFICE**

790-A1 S FRANKLIN STREET  
FORT BRAGG, CA 95437  
(707) 961-2714  
FAX (707) 961-2720

**COUNTY OF MENDOCINO**  
HEALTH AND HUMAN SERVICES AGENCY  
PUBLIC HEALTH BRANCH  
ENVIRONMENTAL HEALTH DIVISION

Tamara Gedick  
Coastal Program Analyst, California Coastal Commission  
710 E St. Suite 200  
Eureka, CA 95501

18 April 2011

**Re: Coastal Development Permit Appeal No. A-1-MEN-10-015**

**Barbara Bethel**  
9401 Rd. 500 B in Mendocino, CA 95460

**RECEIVED**  
APR 27 2011  
CALIFORNIA  
COASTAL COMMISSION

Tamara,

The Division of Environmental Health (DEH) has received your request for comments on the current plans for the residence for the property referenced above.

You have questioned whether DEH can give clearance to the house plan as it is proposed. Your concern is that the office will be used as a bedroom, and that this will make the septic system inadequate to handle the flows from this residence.

To be clear, the septic system for this property is sized to accommodate a total of two bedrooms only. The current house plans call for a total of two bedrooms and an office. The septic system is sized by the number of bedrooms it supports; that does not preclude the applicants from including an office in their plans. I discussed this situation with my supervisor, Land Use Program Manager David Jensen, who indicated that DEH must be consistent in the application of our rules. Under DEH regulations, the current house plans for this property are acceptable. DEH comments from 18 February 2010 stand: "DEH can give clearance to alternate building plans."

Thank you for giving us the opportunity to revisit this project. Should you have any questions, please do not hesitate to contact me at: (707) 961-2732.

Sincerely,

Carly Williams  
Registered Environmental Health Specialist

**EXHIBIT NO. 20**  
**APPLICATION NO.**  
A-1-MEN-10-015 - BETHEL & HUPP  
COUNTY CORRESPONDENCE  
DEMONSTRATING ADEQUACY OF  
SEPTIC SYSTEM (1 of 3)

cc: file

## Gedik, Tamara@Coastal

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**From:** Carly Williams <williamc@co.mendocino.ca.us>  
**Sent:** Wednesday, April 27, 2011 4:55 PM  
**To:** Tamara Gedik  
**Cc:** Dave Jensen; Bob Merrill  
**Subject:** Re: Bethel septic question (CDP Appeal No. A-1-MEN-10-015)

Tamara,

Thank you for your prompt response to my letter.

I hope that this e-mail will clarify for you why the Mendocino County Division of Environmental Health (DEH) has determined that this parcel has adequate septic system capacity to support the proposed structure.

To briefly recap the history of this project, in January 2002, DEH approved a two-bedroom septic system design for a proposed 3900 square-foot two-bedroom residence on this parcel. On 28 April 2006, DEH issued a septic system construction permit for a two-bedroom residence. Although property ownership and construction plans have changed since the original design was approved, the house and septic leaching fields are roughly in the same location today as when the 2002 design was approved.

In 2007, DEH effected Policy 4200.04, the Bedroom Definition Policy. This policy sets a maximum limit of 2100 square feet for two-bedroom residences. However, when DEH management imposed the policy, they decided that it should not be applied retroactively to any project, such as this one, that had previously been given clearance.

Regarding the current application to install an additional bathroom, DEH has consistently allowed the construction of additional bathrooms without requiring that the septic system is increased. This practice is further supported by the North Coast Regional Water Quality Control Board's Basin Plan, which requires that septic systems be sized according to the number of bedrooms, not the number of bathrooms and not the number of square feet of habitable area.

I appreciate your thorough review of this project. Should you have any other questions or concerns, please do not hesitate to contact me.

Carly

Carly J. Williams  
Registered Environmental Health Specialist  
County of Mendocino  
Division of Environmental Health  
790-A1 South Franklin Street  
Fort Bragg, CA 95437  
Phone: (707) 961-2714  
Fax (707) 961-2720

>>> "Tamara Gedik" <tgedik@coastal.ca.gov> 4/27/2011 11:31 AM >>>  
Hi Carly~

Thank you for your letter dated April 18, 2011 in which you indicate that the septic for the proposed development at 9401 Rd. 500 B is sized to accommodate 2 bedrooms. You note in your letter that "the current house plans call for a total of two bedrooms and an office. The septic system is sized by the number of bedrooms it supports; that does not preclude the applicants from including an office in their plans."

The concern I have raised via telephone conversations with you and in the Commission staff report dated May 20, 2010, is that the 2009 floor plan proposal shows a 420-square-foot office with a full bathroom, in addition to the guest room

with full bathroom, and the master bathroom and bedroom. This contrasts with the 2005 plan that DEH approved that showed no bathroom facilities associated with the office.

According to the Mendocino County DEH "bedroom definition" Policy 4200.04, it states "A bedroom, for purposes of sizing on-site sewage systems, shall be defined as: any room designated by applicant as a "bedroom;" other rooms, such as sewing rooms, dens, offices, studios, lofts, game rooms, etc. may also be considered as bedrooms." (emphasis added). The policy states that the intent is "to size the on-site sewage system to the actual carrying capacity of the residence regardless of how any particular resident might be utilizing the structure at any given point in time."

The policy goes on to state that "notwithstanding the above provisions, the minimum number of bedrooms for any dwelling shall be no less than the following...over 3001 square feet [gross floor area] = 4 bedrooms". The current house proposal has a building footprint of 3,988 square feet plus a 575-square-foot garage, for a total of 4,563 total square feet.

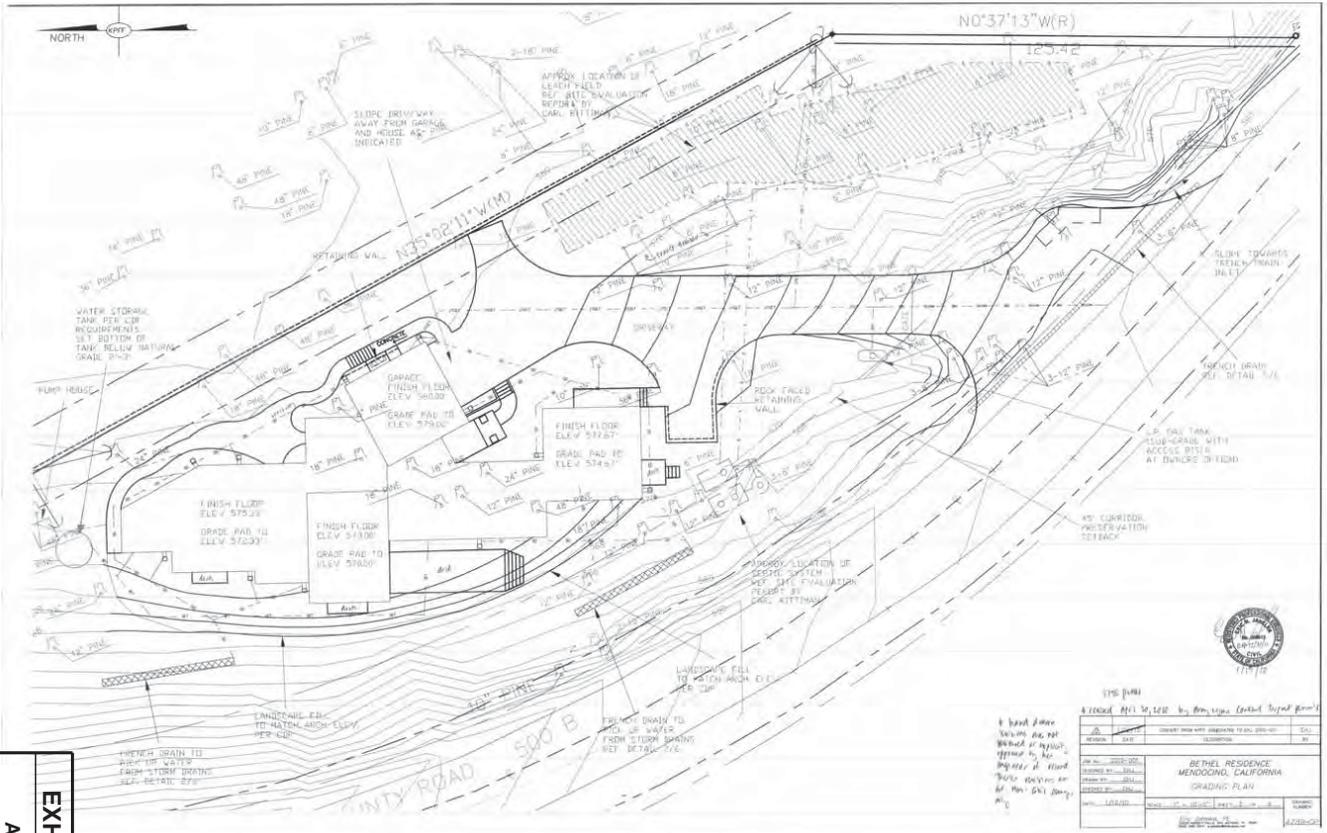
Therefore, it appears that in addition to consideration of the office as a bedroom, the size of this structure (greater than 3,001 square feet) should include a septic sized for 4 bedrooms. Could you please help me to understand how the subject site (APN 119-320-04) can be determined to have adequate septic capacity consistent with policies including but not limited to DEH Policy 4200.4, LUP Policy 3.8-1 and Coastal Zoning Code Section 20.532.095, by clarifying how approval can be given at a site with septic that only supports 2 bedrooms?

Thanks again Carly for your assistance.

Sincerely,

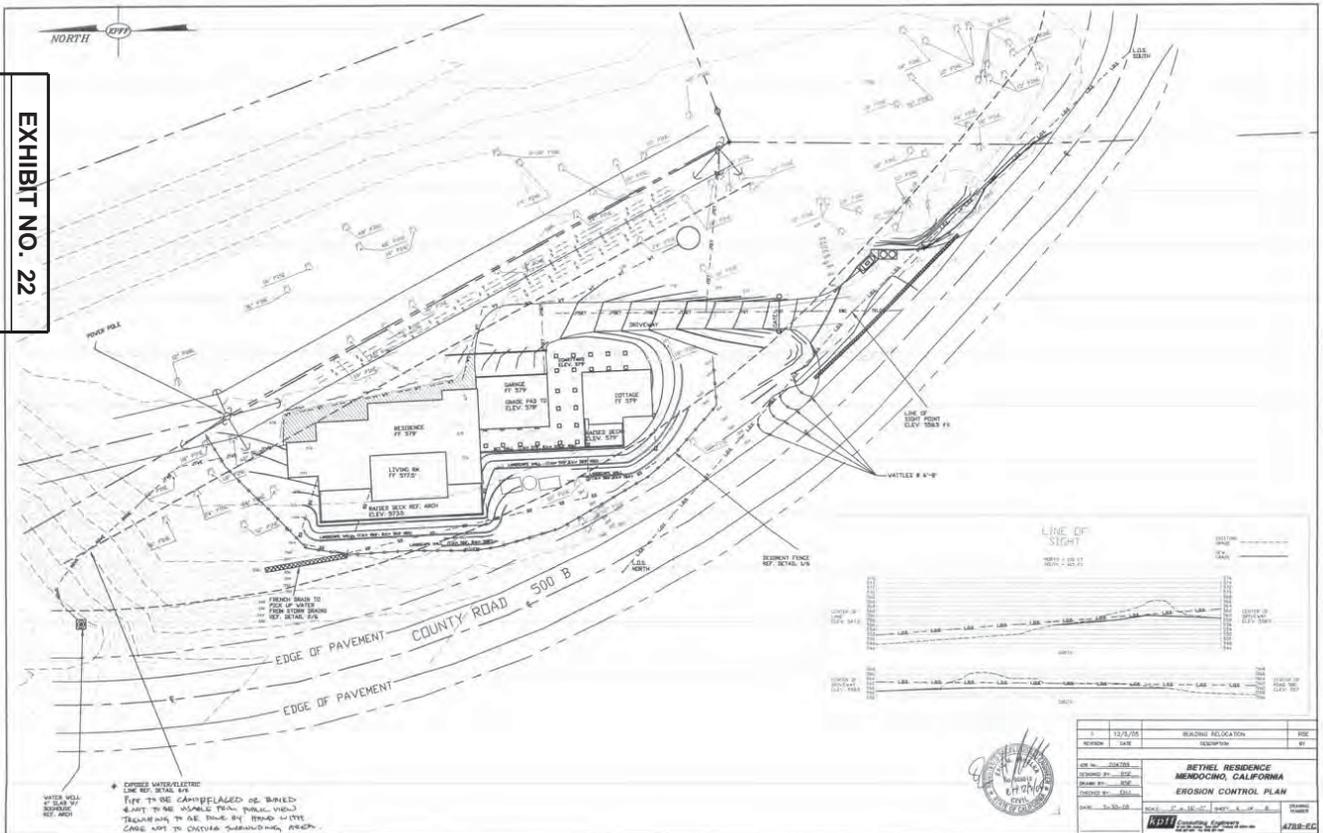
*~Tamara L. Gedik*  
Coastal Program Analyst  
California Coastal Commission  
710 E Street, Suite 200  
Eureka, CA 95501

(707)445-7833  
[tgedik@coastal.ca.gov](mailto:tgedik@coastal.ca.gov)



Grading Plan

**EXHIBIT NO. 22**  
**APPEAL NO.**  
**A-1-MEN-10-015**  
 (Bethel & Hupp)  
**Erosion Control Plan,**  
**Notes, & Details (1 of 3)**







COASTAL PERMIT ADMINISTRATOR ACTION SHEET

CASE#: CDPM 98-01(05) HEARING DATE: 1-26-06

OWNER: Bethel

ENVIRONMENTAL CONSIDERATIONS:

- Categorically Exempt
- Negative Declaration
- EIR

FINDINGS:

- Per staff report
- Modifications and/or additions

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ACTION:

- Approved
- Denied
- Continued \_\_\_\_\_

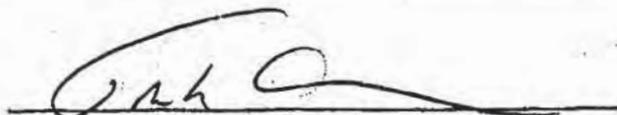
CONDITIONS:

- Per staff report
- Modifications and/or additions

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Signed: Coastal Permit Administrator

**EXHIBIT NO. 23**  
APPLICATION NO.  
A-1-MEN-10-025 - BETHEL & HUPP  
UNDERLYING CONDITIONS OF  
CDPM 98-01(05) & CDP 98-01  
(1 of 10)

STAFF REPORT FOR  
STANDARD COASTAL DEVELOPMENT PERMIT

CDPM#98-01(05)  
January 26, 2006  
CPA-9

**FINDINGS:**

1. The proposed development is in conformity with the certified Local Coastal Program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan.

**STANDARD CONDITIONS:**

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.
4. The permit is subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.

2 of 10

STAFF REPORT FOR  
STANDARD COASTAL DEVELOPMENT PERMIT

CDPM#98-01(05)  
January 26, 2006  
CPA-10

6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
  - a. The permit was obtained or extended by fraud.
  - b. One or more of the conditions upon which such permit was granted have been violated.
  - c. The use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or is a nuisance.
  - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.

**SPECIAL CONDITIONS:**

1. The guest cottage shall not be used for permanent habitation, shall not have a kitchen, food preparation or cooking facilities, shall be clearly subordinate and incidental to the primary dwelling and shall not be separately rented, let, or leased whether compensation be direct or indirect as defined by Section 20.308.050(I) of the Coastal Zoning Code.
2. The applicant shall comply with the minimum standards for addressing, defensible space, and fire-resistant construction specified in the California Department of Forestry Conditions of Approval (CDF#576-01), or other alternatives acceptable to the Department of Forestry. Prior to the final inspection of the building permit, written verification shall be submitted from the Department of Forestry to the Department of Planning and Building Services that this condition has been met to the satisfaction of the Department of Forestry.
3. The applicant shall comply with all requirements set forth by KPFF Engineering and shall not deviate from this plan unless a written modification is submitted by the engineer and approved by the Coastal Permit Administrator.
4. All required landscaping shall be installed prior to final clearance of the building permits for the residence, or occupancy of the residence, whichever occurs first. All required landscaping shall be irrigated, staked, maintained, and replaced, as necessary, to ensure that a vegetative screen is

3410

STAFF REPORT FOR  
STANDARD COASTAL DEVELOPMENT PERMIT

CDPM#98-01(05)  
January 26, 2006  
CPA-11

established and maintained in perpetuity. Should any tree become diseased or die, it shall be replaced on a 3:1 ratio. Any future tree removal on the site shall require prior authorization from the Planning Division or, if it constitutes "major vegetation removal", shall require a coastal development permit amendment.

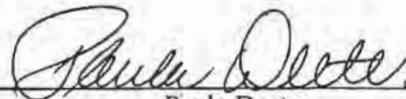
5. All exterior siding and trim finish colors shall match those specified in the coastal development permit application. All exterior lighting fixtures shall match those submitted with the permit application and be downcast and shielded. Any changes shall be subject to the review and approval by the CPA for the life of the project.
6. Prior to the issuance of the Coastal Development Permit, the applicant shall submit proof of a current encroachment permit. Pursuant to encroachment permit procedures administered by the Mendocino County Department of Transportation, applicant shall construct a standard private driveway approach onto Frontage Road B (CR 500 B), to a minimum width of ten feet, area to be improved fifteen feet from the edge of the County road, to be surfaced with surfacing comparable to that on the County road.

*Valid  
thru  
Sept '06*

Staff Report Prepared By:

1-13-06

Date



Paula Deeter  
Planner I

Attachments: Exhibit A: Location Map  
Exhibit B: Site Plan  
Exhibit C: Floor Plan  
Exhibit D: Floor Plan  
Exhibit E: Elevations  
Exhibit F: Elevations  
Exhibit G: Landscaping Plans

Appeal Period: Ten calendar days for the Mendocino County Board of Supervisors, followed by ten working days for the California Coastal Commission following the Commission's receipt of the Notice of Final Action from the County.

Appeal Fee: \$795 (For an appeal to the Mendocino County Board of Supervisors.)

4 of 10

COASTAL PERMIT ADMINISTRATOR ACTION SHEET

CASE#: OP 98-01 HEARING DATE: 9/24/02

OWNER: Powers

ENVIRONMENTAL CONSIDERATIONS:

- Categorically Exempt
- Negative Declaration
- EIR

FINDINGS:

- Per staff report
- Modifications and/or additions

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

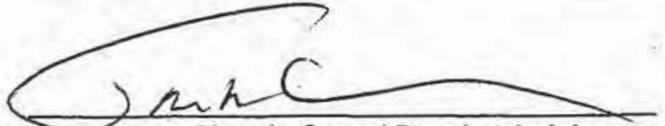
ACTION:

- Approved
- Denied
- Continued \_\_\_\_\_

CONDITIONS:

- Per staff report
- Modifications and/or additions

modify special condition # 5 per 9/24/02 memo  
regarding access grading

  
Signed: Coastal Permit Administrator

5410

SEAL DIVISION COUNTY OF MENDOCINO PLANNING & BUILDING # 17

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## MENDOCINO COUNTY MEMORANDUM

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**TO:** Frank Lynch, Coastal Permit Administrator

**FROM:** Robert Dostalek, Project Coordinator 

**SUBJECT:** Addendum to CDP #98-01 (Driveway encroachment standards)

**DATE:** September 24, 2002

This permit application has been continued to allow the driveway encroachment issue to be addressed. A conceptual driveway encroachment plan was submitted to the Mendocino County Department of Transportation that appeared to be acceptable (see attached e-mail correspondence dated September 23, 2002).

The proposed plan would require the removal of four (4) bull pines and  $\pm 2$  cubic yards of fill material from the northern driveway embankment and two (2) bull pines and  $\pm 8$  cubic yards of fill material from the southern embankment (see full-size plan in file). The removal of six (6) trees and  $\pm 10$  cubic yards of fill material would not result in a significant visual impact and, therefore, does not change any recommendations or conditions contained in the staff report except Special Condition #5. To ensure a re-vegetation plan is submitted for the excavated area, staff recommends the first sentence in Special Condition #5 be revised to read:

*"Prior to issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Coastal Permit Administrator, a ~~revised~~ final grading plan..."*

6 of 10

**FINDINGS:**

1. The proposed development is in conformity with the certified Local Coastal Program; and
2. The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities; and
3. The proposed development is consistent with the purpose and intent of the applicable zoning district, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
4. The proposed development, if constructed in compliance with the conditions of approval, will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act; and
5. The proposed development will not have any adverse impacts on any known archaeological or paleontological resource; and
6. Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.
7. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and Coastal Element of the General Plan.

**STANDARD CONDITIONS:**

1. This action shall become final on the 11<sup>th</sup> day following the decision unless an appeal is filed pursuant to Section 20.544.015 of the Mendocino County Code. The permit shall become effective after the ten (10) working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration.

To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date.

2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Coastal Permit Administrator.

4. That this permit be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
6. 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. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety or as to be a nuisance.
  - d. 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.
7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.

**SPECIAL CONDITIONS:**

1. Prior to commencement of project construction, the trees identified for retention, which could potentially be harmed from construction related activities, shall be fenced for protection. Should any of the screen trees identified for retention be harmed and/or require replacement resulting from project related impacts, each tree shall be replaced on a 3 to 1 basis. Said screen trees shall be of a species common to the north coast (i.e. Bishop Pines, Shore Pines, etc.) and shall be replanted as close to the original tree location as feasible and shall be positioned to maximize the screening of the residence from Mendocino Town, the Mendocino Headlands State Park and the Highway One turnout. All replaced trees shall be a minimum of 5-gallon size, be at least fifteen (15) feet tall at maturity, fertilized, irrigated, staked for wind protection and maintained in a healthy condition. All retained and replaced screen trees shall be replaced as necessary to ensure the vegetative screening remains in perpetuity.

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Prior to issuance of the coastal development permit, the applicant shall submit a final landscape plan. Subject to the review and approval of the Coastal Permit Administrator, the plan shall provide that no less seven (7) five gallon container evergreen trees commonly found along the north coast (i.e. Bishop Pines, Shore Pines, etc.) be planted in the vicinity identified on Exhibit E. The required trees shall be positioned to provide maximum screening of the western and northern facade of the residence as viewed from Mendocino Village, the Mendocino Headlands State Park and the Highway One turnout, be at least fifteen (15) feet tall at maturity, fertilized, irrigated, staked for wind protection and maintained in a healthy condition. The final landscape plan shall be implemented and planted prior to the final building inspection or occupancy, whichever comes first, and the existing and required screen trees shall be maintained in perpetuity. The required landscaping shall be subject to field verification by Planning Staff.

Limbing or trimming of the existing or required screen trees shall be subject to prior review and approval by the Coastal Permit Administrator.

2. Prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Coastal Permit Administrator, a revised exterior color sample for the chimneys on the residence selected to minimize contrast and to be visually compatible with the surroundings (i.e. dark browns or dark greens).
3. All exterior building materials and finishes shall match those specified in the coastal development permit application. Windows shall be made of non-reflective glass. Any change in approved colors or materials shall be subject to the review and approval of the Coastal Permit Administrator for the life of the project.
4. Prior to the final building inspection or occupancy of the residence, whichever occurs first, the applicant shall contour the fill deposited on the north end of the parcel in a manner which follows the natural contours and minimizes potential erosion. The fill shall be seeded with a native seed blend specified by the California Department of Transportation (CalTrans).
5. Prior to issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Coastal Permit Administrator, a revised grading plan. Said plan shall be prepared by a licensed civil engineer and shall include revisions to the location of the residence, grading details for the recommended driveway approach and recommendations for re-vegetating the graded slope for stabilization and visual impact mitigation. Should any work be necessary within the CalTrans right-of-way, the applicant shall secure the necessary permits to authorize such work prior to project commencement.

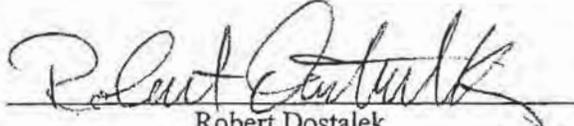
Prior to commencement of construction activities for the residence and pursuant to encroachment permit procedures administered by the Mendocino County Department of Transportation (MCDOT), the applicant shall obtain an encroachment permit from MCDOT and construct a standard private driveway approach onto Frontage Road B (CR #500B), to a minimum width of ten (10) feet, area to be improved fifteen (15) feet from the edge of the County road, to be surfaced with surfacing comparable to that on the County road.

STAFF REPORT FOR  
STANDARD COASTAL DEVELOPMENT PERMIT

CDP# 98-01  
June 27, 2002  
CPA-10

Staff Report Prepared By:

6/17/02  
Date

  
Robert Dostalek  
Coastal Planner

Attachments: Exhibit A: Location Map  
Exhibit B: Site Plan  
Exhibit C: Floor Plans  
Exhibit D: Elevations  
Exhibit E: Landscape Plan

Appeal Period: 10 days  
Appeal Fee: \$555