

**Planning Commission/Board of Zoning Adjustments
Appeal Form**

PJR-021

To: Board of Supervisors
County of Sonoma, State of California

File # CPH 160009

Appeal is hereby made by: Terry Marker, Martha Ruddle
Please Print

Mailing Address: PO Box 787, 1030 Highway One
Bodega Bay, CA

Phone: 707-875-2420 Email: perrymarker@comcast.net

The Sonoma County Planning Commission / Board of Zoning Adjustments (circle one) on

December 20, 2018 approved / denied (circle one) a request by

Alon and Julie Chapman for building a
home at 1020 Highway One, Bodega Bay

located at 1020 Highway One

APN 100 - 100 - 005 Zoned RLC9G, SR Supervisorial District 5

This appeal is made pursuant to Sonoma County Code Chapter 26 Section 26-92-160 for the following specific reasons:

See Attached

Date: December 28, 2018 Appellant: [Signature] Martha Ruddle
Signature

Appeal Fee: See current PRMD Project Review Fee Schedule

----- DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff -----

This appeal was filed with the Permit and Resource Management Department on the 28th day
of December, 2018, receipt of which is hereby acknowledged.

Hannah Spencer
PRMD Staff

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

**Planning Commission/Board of Zoning Adjustments
Appeal Form**

PJR-021

To: Board of Supervisors
County of Sonoma, State of California

File # CP H16-0009

Appeal is hereby made by: Kathy Wong, Shave Ridge Way
Please Print

Mailing Address: ATTN: Anthony Ridgeway Unit 7300 Box 0785
DPO, AP 96521-0785

Phone: 702-702-6231 Email: districtridge@gmail.com

The Sonoma County Planning Commission / Board of Zoning Adjustments (circle one) on

December 20, 20 18, approved / denied (circle one) a request by

Alan and Julie Chapman for Building a
home at 1020 Hwy One, Bodaga Bay, Ca
located at 1020 Hwy One

APN 100-100-005 Zoned R2:CC:G:SR Supervisorial District 5
This appeal is made pursuant to Sonoma County Code Chapter 26 Section 26-92-160 for the
following specific reasons:

See Attached

Date: Dec 28, 2018 Appellant: Anthony Ridgeway & Kathy Wong
Signature

Appeal Fee: See current PRMD Project Review Fee Schedule

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

This appeal was filed with the Permit and Resource Management Department on the 28th day
of December, 20 18, receipt of which is hereby acknowledged.

Hannah Spencer
PRMD Staff

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

**Planning Commission/Board of Zoning Adjustments
Appeal Form**
PJR-021

To: Board of Supervisors
County of Sonoma, State of California

File # CPH16-0009

Appeal is hereby made by: DAV WONG

Please Print

Mailing Address: 1352 Marina Circle

DAVIS, Ca 95616

Phone: 530-400-0794

Email: wongdl@gmail.com

The Sonoma County Planning Commission / Board of Zoning Adjustments (circle one) on

December 20

, 20 18

approved / denied (circle one)

a request by

Alan and Julie Chapman

for

Building a

home @ 1020 Hwy One

Bodega Bay

located at 1020 Hwy One

APN 100-100-005

Zoned RC-C-50

Supervisory District 5

This appeal is made pursuant to Sonoma County Code Chapter 26 Section 26-92-160 for the following specific reasons:

See Attached

Date: 12/28/18

Appellant: Daniel Wong

Signature

Appeal Fee: See current PRMD Project Review Fee Schedule

U DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff U

This appeal was filed with the Permit and Resource Management Department on the 28th day of December, 20 18, receipt of which is hereby acknowledged.

Hannah Spencer
PRMD Staff

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

1020 Highway One Project Proposal
Bodega Bay, CA
Appeal to the Sonoma County Board of Supervisors

Submitted by property owners:

Perry Marker, Martha Ruddell, 1030 Highway One Bodega Bay
and
Kathy Wong, Daniel Wong, Shane Ridgeway, 1010 Highway One Bodega Bay

Members of the neighborhood community of 1010 and 1030 Highway One, Bodega Bay, attended and spoke at the December 20, 2018 meeting of the Sonoma County Combined Planning Commission and Board of Zoning Adjustments. We believe that there are six areas of concern with regard to procedures and rulings that occurred at that meeting that have significant impact on the project approval process.

1. The "Applicants" for the proposed project approval listed on the meeting agenda are Alan and Julie Chapman (see attached). The procedure explained at the meeting provided for the Applicants to have 10 minutes to introduce the project, followed by public speakers with 3-minute speaking time each, followed by a 5-minute period for rebuttal by the applicants. No rebuttal is allowed for public speakers. Ms. Chapman spoke very briefly in both the introduction and rebuttal periods and then ceded the rest of her time to Mr. Richard Popek. Mr. Popek is not an applicant for this project; he is the contractor who owns Popek Design/Build, who will profit from the project, even though he hedged when asked by the Board if he was by saying, "Oh, well, I might be." Mr. Popek is a well known Bodega Bay contractor; that is his profession. As a citizen of Bodega Bay and member of the public, he has every right to the same 3-minute speaking time that we, individuals in the neighborhood community, were permitted. We believe that allowing Mr. Popek to assume the role of "Applicant" violated the Commission/Board's own rules and procedures and was prejudicial against the neighborhood community.
2. A question arose in the hearing regarding the shared driveway easement and the definition of what constitutes lot size definition on this property. The 1010 and 1020 lots are divided by a 10-foot driveway easement with each property contributing 5 feet to the easement. On the deed for 1010 Highway One, the buildable portion is labeled "Parcel 1" and the easement portion is labeled "Parcel 2," thus appearing to consider them separate entities. The question arose regarding the requirement for the house and garage to cover a maximum of 40% of the lot (specifications indicate it is 39+ %); however that 39 percent is based upon inclusion of the easement Parcel (which is by definition unbuildable) as part of the total footage of the lot. The land

associated with the easement is used and necessary for all three lots. In the case of 1020 Highway One, the easement rights belong to lots 1010, 1020 and 1030 Highway One and have been exercised for the installation of a common road used by all parties. As a threshold matter, the land associated with the easement is already covered and in use as a driveway, so should not be included in the calculations for land that can be covered for the house and garage as that would effectively be double counting. The current calculation also incorrectly treats the easement as if it could be covered by the house and garage, whereas in fact the land associated with the easement cannot be used for such purposes without the consent of the owners of 1010 and 1030 Highway One, neither of whom have or will give such consent, since that land is necessary for them to access their properties. If the unbuildable easement footage is not considered part of the total buildable space and is listed as a separate Parcel on the deed, the project is over the maximum coverage allowed. At the hearing a very short recess was called to seek counsel about this issue, with a return ruling that the easement could, indeed, be considered part of the footage from which the 40% building maximum is derived. No county or other policies, regulations or documentation were cited to support this ruling; we would like clarification and documentation regarding this, particularly since this land is already "covered" and could not be built upon.

3. In our very short public speaking time we pointed out to the Commission/Board an inaccuracy in the project site map that has serious ramifications for large truck and emergency vehicle access and egress to the 1020 property. The property abuts Highway One just below a blind and very dangerous curve. On the site map (See Figure A-1) at the back (east) section of the project an attached garage and gravel parking space appear. Across the driveway easement from the 1020 gravel parking space the map incorrectly shows a large space marked "paved driveway". Thus it falsely makes it appear that large and/or emergency vehicles could exit Highway One, drive up the easement driveway (hereafter called the easement), pull into the 1020 gravel parking space and park; then to leave it appears they can back across the easement onto the "paved driveway," turn and drive down the easement to re-enter Highway One. However, this is not possible because there is no paved driveway across the easement from the 1020 project gravel parking space; its depiction on the map is in error. The space across from the 1020 parking space is the 1010 property retaining wall and back patio area. This area is not a "paved driveway" and does not belong to 1020 Highway One, nor does 1020 Highway One have an easement to create such an area. This portion of the 1010 property cannot accommodate any turning room for any vehicle. In order for any vehicle to exit the 1020 gravel parking space it has only the 10-foot easement room, with a utility pole within a few feet of the patio area and the attached garage adjacent to the parking space confining the turning radius. No large truck (i.e., UPS, propane delivery, etc.) and certainly no emergency vehicle can make that turn, so all large vehicles will have to back down the easement and onto Highway One just below the blind curve.

All of the approvals for this project have been made on the basis of this inaccurate project site map. We also believe that the lot size, based upon the site map, is calculated incorrectly. We believe the applicant should have to submit a completed map for review by the relevant agencies, including the Coastal Commission and the Bodega Bay Fire Protection District, which is familiar with the area and would be servicing the property. We believe that every level of oversight review needs to be redone with an accurate map and accurate information about access and egress to the property. For example, the approvals obtained from various agencies, including fire and emergency departments, were based upon the erroneous map and its depiction of a paved area.

4. Regardless of any ruling about buildable space for this project, the 1020 lot is considerably smaller than minimum lot size required under the Coastal Plan to be considered a buildable lot (4,100 sq. ft. as opposed to the norm of 6,000 sq.ft.). We believe the process that approved the project did not give sufficient consideration to the Coastal Plan and its requirements that projects adjacent to the original town be "similar in scale and design" to the original town (p. 172). We believe that this project violates the Coastal Plan in two regards. First, the lot size is smaller than the minimum lot size required under the Plan for a lot on which new development is planned or contemplated. At the hearing, a short recess was held regarding this issue and an oral ruling was given that the lot could be built upon because it was deemed buildable before enactment of the Coastal Plan and thus was "grandfathered" in. However, nothing in the Coastal Plan provides for such "grandfathering," and no regulations, policies or documentation were produced to show the procedure for such lots, or explain under what circumstances this was permitted. We would request such documentation, as the Coastal Plan appears to provide for no such exceptions.
5. Second, the maximum height of new developments and the original town is 16'. At the hearing, it was ruled that the project did not have to conform to this requirement, even though it is more restrictive than the otherwise applicable 24' height requirement. In support of this ruling, the Commission cited the height of buildings that were constructed before the Coastal Plan was put into place. We believe that the more restrictive "similar in scale and design" requirements with the 16' height limit should apply, particularly as the "Harbor View" development behind 1020 Highway One is being required to follow the 16' height limit, and the higher height limit will be significantly out-of-place.
6. Finally, because small lot size which exacerbates and the safety concerns regarding access and egress of large and emergency vehicles, we believe that an on-site safety analysis and evaluation by Cal Trans and the Bodega Bay Fire Protection District are needed. We request that an on-site review by these agencies be completed.

MARTIN - CHAPMAN RESIDENCE

DESIGN CONCEPTS 4335 MULBERRY DR., SANTA ROSA, CA 95405 P(408) 945-1807 / (408) 945-1739 WWW.DCAIWA.COM



NET

A-1

SITE PLAN
SCALE: 1/8" = 1'-0"



PROPERTY ADDRESS
1020 HENRY T. BODEN SAT, CA 94925

APN: 100-100-005

PROPERTY OWNERS
ALAN CHAPMAN & JILL MARTIN
4440 FRANCIS CT., SACRAMENTO, CA 95822

Wong & Ridgeway
HOUSE

