



County of Sonoma
Permit & Resource Management Department

***Sonoma County Combined Planning Commission
And Board of Zoning Adjustments
MINUTES EXCERPT***

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

December 20, 2018
Meeting No.: 18-09

ROLL CALL

Dick Fogg
Larry Reed
Komron Shahhosseini
Cameron Mauritsen
John Lowry, Chair

STAFF MEMBERS

Jennifer Barrett
Scott Davidson
Jennifer Faso
Brian Keefer
Arielle Kohn, Secretary
Jennifer Klein, Deputy County Counsel

1:00 PM Call to order and Pledge of Allegiance.

Approval of Minutes – N/A

Correspondence

Planning Commission/Board of Zoning Adjustments/Board of Supervisors Actions

Commissioner Announcements/Disclosures

Public Appearances John Jenkel and his group (Mary Morrison, Miguel Perez, Rachelle Bell, Roseanne Schneider, Robert McGilley, James Savage, Vanessa Venderbeck, and Michelle Miller provided) testimony about violations of the permit by Paul Hobbs Winery and how it has negatively impacted Mr. Jenkel's ability to enjoy his land.

Items scheduled on the agenda

BOARD OF ZONING ADJUSTMENTS REGULAR CALENDAR

Item No.: 2
Time: 1:15 pm
File: CPH16-0009
Applicant: Alan and Julie Chapman
Owner: Same
Cont. from: N/A
Staff: Jennifer Faso
Env. Doc: Categorical Exemption, per CEQA Guidelines Section 15303 Class 3 (a), the project involves the construction of a new single family residence.

Proposal: Request for a Coastal Permit, for a new two story 1,616 square foot single family residence with attached 200 square foot garage and associated landscaping on a 4,138 square foot lot.
Location: 1020 Highway 1, Bodega Bay
APN: 100-100-005
District: 5
Zoning: R1 (Low Density Residential District), CC (Coastal Combining), G (Geologic hazard Combining), SR (Scenic Resources)

Jennifer Faso summarized the staff report, which is incorporated herein by reference.

Questions from Commissioners

Commissioner Fogg asked if the height of building blocks the view of the house behind the site. **Staff Faso** indicated that it will partially block views, but it is within the allowable restriction.

Commissioner Lowry asked if there is sufficient room for a public right of way. **Staff Faso** stated yes, but there is a pinch point to the north.

Public Hearing Opened: 3:34

Speakers: Julie Chapman, Sacramento, applicant, indicated that the photos are not to scale. When fully constructed, the house will be 1 ½ feet below the maximum height restriction, and will be shorter than the surrounding homes.

Rich Popek, Bodega Bay, applicant/contractor, hopes to build the home. He stated that the project should be allowed. He has been a builder in Bodega Bay for 20 years. This site is no different from other properties on the coast. It is consistent with the Local Coastal Plan, is surrounded by single family dwellings, is not on a hilltop, and the scale and size are compatible with the area. The design will be Cape-Cod type, will not block the view from the highway. A lot went into the plans due to the coastal restrictions, and the owner went above and beyond to comply with design and restrictions to be compatible with the community. .

Commissioner Lowry asked about public right of way at the front of the project site. Mr. Popek recalled a proposal for a boardwalk a few years ago. Due to the neighboring property at this site, a bike lane is not feasible.

Daniel Wong, Davis, Co-owner of 1010 Highway 1, which is adjacent to proposed structure, expressed concern about common easement. Each parcel gives up 5 feet for the deeded easement. This causes the project to exceed the 40% coverage limit. The lot is only 35 feet wide at the rear. Mr. Wong submitted a parcel

description for the easement. The proposed house will cause a dark shadow. He asked for the size to be reduced.

Perry Marker, 1030 Highway 1, lives behind the property. Mr. Marker felt blind-sided, and complained that the applicant never discussed their plans with him. The house will obstruct 80% of the existing view – the entire view of water, marina and part of the Bodega Head. Views are sacrosanct on the coast. Mr. Marker asked for the roof height to be reduced, expressed concern about safety, height, gravel parking and stated there is insufficient room for parking. Propane trucks, trash pickup, and delivery trucks will not be able to turn around. It would be detrimental to have trucks backing up on the highway. It is difficult for emergency vehicle access and the project will make it worse.

Martha Ruddell, 1030 Highway, passed out pictures showing there is no paved parking. The proposed home will obstruct their view. She asked to see a more accurate drawing of the proposed house. Ms. Ruddell said that the A-1 map is incorrect and the County signed off based on an inaccurate map. There is no place to turn around on the subject property. There is a dangerous curve at the exit and backing out is sure to be a problem, Caltrans and Bodega Bay FPD need to do an onsite inspection of property with regard to safety issues. Discussion about a pedestrian walkway through Bodega Bay has been going on for years, and Caltrans attended the one this year. They lowered the speed limit at the south end of town.

Katherine Wong, co-owner of 1010 Highway 1, lives directly south of property. She expressed concern about the accuracy of the allowed height. Other homes in the area adjacent to the Bodega Bay corridor are restricted to 16 feet, including the new development behind the site. The building height will block her view, and she will look directly into the Chapman's bedroom. Views are the main reason everyone buys property at the coast. The subject lot was part of larger parcel that was subdivided, and should not be buildable by legal size standards. Under current restrictions, many lots in Bodega Bay are unbuildable. The home is not in scale with the neighborhood. Please consider reducing the size and scale. The easement is very important to access the property, and another house in the easement will be a problem. She complained that the applicant had never talked to her about their plans, which are designed to maximize space with no consideration of the neighbors. Views of the harbor and the bay are important. She opposed the blueprints that show a hot tub and umbrella patio area in front of house, and expressed concern about aesthetics and parties in the front yard.

Patricia Wong, Davis, visits the property owned by her daughter and husband. She testified that the roadway turn is dangerous, there is not room to turn around, and there is no paved area. Rain can make it difficult, and there is a dangerous curve in the road with no room to pull off. The roof height concerned her, and will cut off much of the view for the existing houses. The large tall home is compatible with the neighborhood.

Mr. Popek, on rebuttal, stated that the Wong property is almost identical in size. Trash is picked up on the highway. The whole area has the same issues with delivery trucks. The neighbors use the Chapman property all the time for parking. The issue of blocking views is a tough thing, and is why he sold his last house. Story poles will go up during permit process. Popek stated he thought that the parking can be reconfigured. The plans for the hot tub were removed at request of the neighbor. The applicant did not intentionally withhold plans. They looked at putting in one story but had to go to two to get 2 bedrooms. 80% of the homes in the area are owned by people from Sacramento. Mr. Popek researched sizes of allowable structures with the architect. Harbor view is planning on putting in 70 brand new high density homes nearby.

Julie Chapman, owner/applicant, stated that she had spoken with the neighbors, which is why she removed the porch and hot tub. Building codes and rules are in place to equalize the rights of all property owners, including her. She has complied with every building code. Her lot size is almost identical to the Wong's.

Public Hearing Closed: 4:10

Commission Discussion

Commissioner Shahhosseini asked if the project is compliant with code requirements. **Deputy Director Barrett** stated that it is within the purview of a coastal development permit and approval will be based on the requirements of the Coastal Plan and Coastal Zoning Code.

Commissioner Lowry asked if the commission could make findings and separate out the decision regarding the driveway and highway safety. **Deputy Director Barrett** stated that the project will be reviewed by Caltrans and Fire. While a small lot, the project does not exceed meets the minimum requirements for access.

Commissioner Fogg asked for clarification about the minimum lot size in the coastal zone. **Deputy Director Barrett** indicated that for substandard existing lots, setback requirements are applied and sufficient access for vehicles are considered, which sometimes requires the house size to be reduced.

Commissioner Lowry commented that most trash pickup takes place on the highway. **Staff Faso** indicated that Recology was included in the referral process and made no comment.

Commissioner Fogg asked the applicant if the roof gable height could be lowered. **Mr. Popek** stated that it would be difficult. **Commissioner Reed** suggested that the applicant finds a way to minimize the impacts on the neighbors.

Action: **Commissioner Shahhosseini** motioned to approve the request as recommended by staff.
Seconded by **Commissioner Lowry** and passed with a 5-0 vote

Appeal Deadline: 10 days
Resolution No.: 18-017

Vote:

Commissioner Fogg	Aye
Commissioner Reed	Aye
Commissioner Shahhosseini	Aye
Commissioner Mauritson	Aye
Commissioner Lowry	Aye

Ayes: 5
Noes: 0
Absent: 0
Abstain: 0

Adjourn Board of Zoning Adjustments and Convene Planning Commission