

TO: Mendocino County Board of Supervisors
RE: Maxwell MHRB - 2016-0018 Appeal

Dear Supervisors,

This appeal is based on three (3) contentions by appellant: 1) The condition requiring salvage and re-use of at least 50% of existing structure's material is "unreasonable"; 2) At least two (2) Mendocino Historical Board (MHRB) members "allowed personality conflicts undermine their roles and, 3) (thus) they "applied bias".

I'll address these points in a somewhat reverse order: As for allegations 2 & 3, I participated in several of the hearing on this proposal, as the minutes attest. I confess MHRB members expressed skepticism about several of the Applicant's claims, and at times there were strong differences of opinion, but at no time did I perceive any expression of personal animosity on the part of the Board. Applicant's allegation of Bias on the part of members of the Board is unfounded, unsubstantiated and without documentation. It is without merit, and should be ignored.

Regarding the Condition requiring (at least) 50% salvage of the existing structure(s), I agree with the Applicant, in his Appeal, that, "After hearing the process required to determine the percentage of salvageable structure, and the opinion of my architect who felt this was not possible...". Nevertheless, this is precisely what the Mendocino Town Zoning Code (MTZC) Section 20.716.010 (B) (1) requires and is clearly pertains to this matter, "However, replacement of 50 percent or more of the nonconforming structure is not repair and maintenance but instead constitutes a replacement structure that **must be** brought into conformance with the policies and standards of the LCP (Local Coastal Plan).. Emphasis added.

In plain English, if the "remodel" of this structure cannot salvage 50% of the existing structure's materials — and no one believes that it can — then its "legal non-conforming"

status becomes null and void. Thus requiring any new development to fully conform to currently extant rules regarding setbacks, etc.

Planning and Building Services (PBS) staff and the members of MHRB bent over backwards to accommodate Applicant/Appellant's plan, and the MHRB decision was the correct one, given what they had to work with.

Your Board should **Deny this Appeal**. Thus supporting the MHRB decision of 2/3/20 and the MTZC's application to Legal Nonconforming Structures and their remodel/rehabilitation.

Thanks for your time and attention.

Stay Well, and Regards,

(s) Lee Edmundson