

Maystrovich, Mark

From: Maystrovich, Mark
Sent: Thursday, August 6, 2020 3:39 PM
To: daniel_lichau@yahoo.com
Cc: Anderson, Cassidy
Subject: 1900 Brush creek

Hi Daniel

I spoke with Tom Lynch this afternoon. He is the person I believe helped you with the framing of you addition. He also has someone by the name of Ivan who did speak with city staff regarding planning and easement items for the addition Tom Lynch is familiar with filing for permits online with the city. You need to reach out to Tom Lynch and get the permitting process started

Mark

Mark Maystrovich | Senior Code Enforcement Officer

Planning and Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-3268 | Fax (707) 543-4315 | mmaystrovich@srcity.org

Hello and thank you for your email. Please note: The City of Santa Rosa has closed most of its public counters until further notice to help curb a resurgence of coronavirus infections occurring in Sonoma County and statewide. Access to most City services remains available online, by phone, and in some instances in-person by appointment. For a current list of those services, visit srcity.org/ServiceFinder.

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TOM LYNCH
CONSTRUCTION

707-529-1890

Lic. #B-467751
tlynch@sonic.net

P.O. Box 1452, Guerneville, Ca. 95446

From: [Maystrovich, Mark](#)
To: [Mister Unknown](#)
Subject: 1900 Brush Creek
Date: Monday, August 10, 2020 10:08:00 AM

Dan

Here are a few resources to provide assistance where needed – say when a building permit must be obtained is to guide applicants to a few valuable documents for plan submittals. The best route is via our website building Forms & Applications Page:

<https://www.srcity.org/DocumentCenter/Index/172>

There are 5 key documents to assist applicants with plan preparation:

1. Building Permit Application: <https://www.srcity.org/DocumentCenter/View/2614/Building-Permit-Application-PDF>
2. Residential Remodels – Additions:
<https://www.srcity.org/DocumentCenter/View/18246/Construction-Documents-Submittal-Requirements-for-Remodel-and-or-Additions-to-Residential-Projects>
3. Commercial Alterations, Additions/Alterations:
<https://www.srcity.org/DocumentCenter/View/18244/Construction-Documents-Submittal-Requirements-for-Tenant-Improvements-and-or-Additions-to-Non-Residential-Projects>
4. New Commercial: <https://www.srcity.org/DocumentCenter/View/18247/Construction-Documents-Submittal-Requirements-for-New-Non-Residential-Projects>
5. New Residential: <https://www.srcity.org/DocumentCenter/View/18248/Construction-Documents-Submittal-Requirements-for-New-Single-Family-Dwellings>

Commercial projects of any kind generally need to provide this specific information:

<https://www.srcity.org/DocumentCenter/View/23539/Accessibility-Requirements-for-all-Building-Permit-Submittals-rev01012020>

An additional resource is attached to the email for basically legalizing unpermitted construction called “Handout for As-Built Projects”. It is a bit outdated, but helpful nonetheless.

As with most cases or projects; there is always the potential for unique circumstances to govern submittal requirements, licensing requirements (architect or not) and submittal requirements.

Mark

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From: [Maystrovich, Mark](#)
To: [Mister Unknown](#)
Cc: [Anderson, Cassidy](#)
Subject: RE: [EXTERNAL] 1900 Brush Creek
Date: Monday, August 10, 2020 10:02:00 AM

Good Morning Dan

Just keep me in the loop on the progress. I will send you the links for submittals, permits. What are your thoughts? End of August or mid-September to submit?

Mark

Mark Maystrovich |Senior Code Enforcement Officer
Planning and Economic Development |100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-3268 | Fax (707) 543-4315 | mmaystrovich@srcity.org

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-----Original Message-----

From: Mister Unknown <daniel_lichau@yahoo.com>
Sent: Monday, August 10, 2020 9:44 AM
To: Maystrovich, Mark <MMaystrovich@srcity.org>
Subject: [EXTERNAL] 1900 Brush Creek

Hi sir.

My friends father, Mike Robertson, is helping me with the steps I need to take for the permit process. I've started on the drawings and I'm printing out all the photos I have on 8X10s. PJC is coming out tomorrow to X-ray the foundation. The hole is dug and ready for them.

I'm going to keep at it and knock out as much as I can. I was wondering if I am under any specific timeline that I need to have things completed by?

Thank you for your time sir.

Dan Lichau

Sent from my iPhone

Anderson, Cassidy

From: Anderson, Cassidy
Sent: Monday, August 10, 2020 1:24 PM
To: Mister Unknown
Cc: tlynch@sonic.net; Maystrovich, Mark
Subject: RE: [EXTERNAL] 1900 Brush Creek

Hello Mr. Lichau,

Mark got me up to speed on his conversation with you and Mr. Lynch. I wanted reach out to you and give you my contact information and the City of Santa Rosa's Building and Permit Department submittal instructions:

PED In-Person Meeting by Appointment Only

We have limited appointments available between from 8:00 a.m. To 11:45 a.m. Mon. – Fri.
Please comply with all social distancing and hygiene protocols posted near the front door while at the City hall Complex.
Please schedule an appointment before arriving to help maintain social distancing. Instructions are below.

How to Schedule an Appointment:

- Our appointment queuing system (Qless) has a free App that can be downloaded to your mobile device from Google Play or the Apple Store. Once installed, follow the prompts for access and scheduling your City of Santa Rosa Counter Appointment.
- To access Qless via the internet (URL), go to: [SRCity.org/QLess](https://srcity.org/QLess) and follow the system prompts to schedule your City of Santa Rosa Counter Appointment.
- Telephone option - For staff assistance in scheduling an appointment, please leave a voicemail at our appointment request line at (707) 543-4623. Leave contact information so we can advise you of the date/time.

The City has launched a virtual permit counter and is accepting and processing all application types, permits can be submitted online at:

<https://srcity.org/3280/Permitting-Inspections-Entitlements>

Should you have any questions do not hesitate to contact me,

Cassidy Anderson | Code Enforcement Officer Planning and Economic Development | 100 Santa Rosa Ave. Rm 3 | Santa Rosa, CA 95404 Tel. (707) 543-3229 | Fax (707) 543-3218 | cganderson@srcity.org

The City has launched a virtual permit counter and is accepting and processing all application types, permits can be submitted online at:

<https://srcity.org/3280/Permitting-Inspections-Entitlements>

The City Building Department has received a large volume of applications since opening a virtual counter, with limited resources. Staff will contact you directly with next steps in the process.

To check the status of your project go online to:

<https://citizen.srcity.org/CitizenAccess/Default.aspx>

-----Original Message-----

From: Maystrovich, Mark <MMaystrovich@srcity.org>
Sent: Monday, August 10, 2020 10:03 AM
To: Mister Unknown <daniel_lichau@yahoo.com>
Cc: Anderson, Cassidy <c ganderson@srcity.org>
Subject: RE: [EXTERNAL] 1900 Brush Creek

Good Morning Dan

Just keep me in the loop on the progress. I will send you the links for submittals, permits. What are your thoughts? End of August or mid-September to submit?

Mark

Mark Maystrovich | Senior Code Enforcement Officer Planning and Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404 Tel. (707) 543-3268 | Fax (707) 543-4315 | mmaystrovich@srcity.org

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To: Maystrovich, Mark <MMaystrovich@srcity.org>
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Thank you for your time sir.

Dan Lichau

Sent from my iPhone



September 17, 2020

Daniel & Amber Lichau
1900 Brush Creek Road
Santa Rosa, CA 95404

NOTICE OF VIOLATION AT: 1900 BRUSH CREEK ROAD

APN: 180-140-056

ZONE: R-1-15-SR

FILE NO. CE20-0139

SANTA ROSA CITY CODE (SRCC) SECTION 17-24.030: TREE ALTERATION,
REMOVAL AND RELOCATION – PERMIT REQUIRED

The Code Enforcement Division has received complaints regarding your property at 1900 Brush Creek Road. The complaints allege, but are not limited to, your removal of a large heritage redwood tree in order to build the addition to your home at that location. A tree removal permit is required to remove trees pursuant to SRCC Sections 17-24.030 et seq. (enclosed for your convenience).

You are hereby notified regarding the above violation. Because the above-referenced tree was removed without a permit, please petition the Director, as outlined in SRCC Section 17-24.130 below, for permission to replace the removed redwood tree with replacement tree(s) as described, **within five (5) days of the date of this letter**. Information may be obtained at the Planning and Economic Development Department, 100 Santa Rosa Avenue, Room 3, from 8:00 a.m. - 4:30 p.m. on Monday, Tuesday & Thursday; 10:30 a.m. - 4:30 p.m. on Wednesday; and 8:00 a.m. - 12:00 p.m. on Friday.

Please carefully read the below Code sections. The recently submitted permits for your addition will be returned to you. Your site plan needs to show location of all structures and all trees on your property. This is to include the redwood tree that had been removed for the addition. In the meantime, the City is still considering what action(s) it will take concerning these permits, pursuant to Section 17-24.140 below.

If you have any questions, please contact me at 543-3268. Your assistance in the preservation of our community would be greatly appreciated.



Mark Maystrovich
Senior Code Enforcement Officer
Planning and Economic Development

Enc: SRCC Section 17-24.030 through 17-24.140

cc: File



SANTA ROSA CITY CODE
Section 17-24.030

Tree alteration, removal, relocation – Permit required

No person shall alter, remove or relocate, or permit or cause the alteration, removal or relocation of any tree, including any heritage, protected, or street tree, situated in the City without a permit as provided in this chapter.

- (A) The provision of this section shall not apply to the following:
- (1) The alteration, removal or relocation of a tree, except a protected or heritage tree, situated on “developed property in a R-1, R-1-6, R-1-7.5, R-1-9, PRD, and R-1-PD zoning district,” unless the adopted policy statement for a particular PRD or R-1-PD zoning district states that a permit is required.
 - (2) The trimming or clearing of any tree’s branches or roots from interfering (a) with the lines of any public utility, City water, sewer and storm drain lines and open storm drain channels and City street, sidewalks, curbs and gutters when necessary for the proper maintenance of such facilities, or (b) with the maintenance of adequate lines of sight along City streets and entrances to such streets, including lines of sight to traffic control signs and signals, provided that accepted arboricultural practices are utilized in each instance.
 - (3) A removal or alteration of any tree necessitated by a hazardous or dangerous condition of, or caused by the tree, or a portion thereof, which requires immediate action to protect life or property. Such a tree, including a street, protected, or heritage tree, may be altered or removed by City personnel without a permit, or by the property owner with the prior written permission given by the head of any one of the following City departments: the Police Department, Fire Department, Public Works Department, Utilities Department, Recreation and Parks, Community Development or City Manager. Decision making authority in such situations may be delegated to field personnel by the head of each such Department or by the City manager.
 - (4) Trees, other than heritage trees, situated within City owned parks and other City owned or controlled places when altered, removed, or relocated by City employees or by contractors retained by the City.
 - (5) Exempt Trees. The following species of tree and any additional species, as determined by resolution of the City Council from time to time, are exempt from the provisions of this chapter (except for those that may exist as street trees) and a permit is not required for their alteration, removal or relocation: acacia, silver

maple, poplar, ailanthus, hawthorn, fruitless mulberry, ligustrum, pyracantha, Monterey pine, Monterey cypress, and fruit and nut trees, except walnut trees which are not exempt.

17-24.100 Violation.

Every person who violates any provision of this chapter is guilty of a misdemeanor. (Ord. 3238 § 28 (d), 1996; Ord. 2858 § 1, 1990)

17-24.110 Criminal penalty for violation.

A violation of any provision of this chapter is subject to Chapter [1-28](#) of the City Code. (Ord. 3699 § 2, 2005; Ord. 2858 § 1, 1990)

17-24.120 Injunctions.

In addition to all other actions and remedies, civil or penal, authorized by law, the City Attorney is authorized to file an action in court seeking injunctive relief to enjoin a violation of any provision of this chapter or to prevent a threatened violation of any provision of this chapter. The injunctive relief sought in any such action may be prohibitory, mandatory, or both. (Ord. 2858 § 1, 1990)

17-24.130 Replacement trees.

In lieu of prosecution under Section [17-24.110](#), any person who alters, removes, or relocates a tree, or who permits or causes to be altered, removed or relocated any tree in violation of any provision of this chapter, may petition the Director for permission to replace each tree so altered, removed, or relocated, with four replacement trees for each six inches or fraction thereof of the diameter of each tree which was altered, removed or relocated without a permit, each of the same genus and species, each of a minimum 15-gallon container size, to be planted on the property on which the violation was committed. If approved by the City Attorney, the Director may grant the petition, with or without conditions, if he finds that the proposed replacement trees will substantially restore the property environmentally to a condition equal to its condition prior to the violation. Each such replacement tree shall be deemed and considered a “protected tree” under the provisions of this chapter. The conditions imposed by the Director may include requirements for security to insure the tree’s successful establishment and proper care for a stated period of time. The Director may also authorize the planting of a lesser number of larger trees or a larger number of smaller trees than specified if he finds that either adjustment will be more beneficial to the permanency of all trees on the property. (Ord. 3699 § 3, 2005; Ord. 2858 § 1, 1990)



17-24.140 Violation—City approvals.

The owner or occupant of any property on which a violation of the provisions of this chapter was committed, if such violation was committed by the owner or a lawful occupant thereof, or committed with the permission or consent of either such person, shall be denied, for a period of two years from the date of the City's discovery of such violation, any approval or permit which otherwise might have been issued by the City for the development or further improvement of such property. Prohibited approvals or permits shall include, but not be limited to, conditional use permits, variances, and building or demolition permits. The provisions of this section shall not apply to any approval or permit which is needed or required to maintain the health or safety of those occupying existing improvements on the property. If the violation has been established by the final judgment of a court, the Director shall, by appropriate notice to the owner of the property and the pertinent City departments and agencies, implement the provisions of this section. If an alleged violation of this chapter has not been the subject of a court proceeding, the Director, in his or her discretion, may hold a hearing on the alleged violation, giving the property owner reasonable advanced notice thereof and a summary of the facts which indicate a violation has occurred, which notice and summary shall meet any procedural due process requirements that are determined to be applicable. Following the hearing at which the owner shall be allowed to present testimony, argument and evidence and to refute the evidence presented by the City, the Director, based on the evidence presented at the hearing, shall determine in writing whether a violation of this chapter occurred on the property involved, and if so, whether it was committed by the property owner or a lawful occupant of the property, or with the permission or consent of either such person. A copy of the Director's determination shall be immediately mailed or delivered to the property owner. If the Director determines such a violation was committed by the owner or such occupant or with the permission or consent of either, he or she shall implement the provisions of this section by notice as set forth above. Notice of a violation of a provision of this chapter may be recorded in the office of the County Recorder to implement the provisions of this section. (Ord. 2858 § 1, 1990)

From: [Maystrovich, Mark](#)
To: [daniel lichau](#)
Cc: [Oswald, Jesse](#); [Abel, Adam](#); [Trippel, Andrew](#); [Sheikhali, Monet](#); [Anderson, Cassidy](#); [Sevilla, Lisa](#)
Subject: 1900 Brush Creek
Date: Tuesday, September 22, 2020 3:12:00 PM

Good Afternoon Daniel

Back on September 16, 2020 you had sent me your permit application and plans submittal for the addition at 1900 Brush Creek. I believe your submittal has been returned?

I need to request that you re-submit your site plan only. The new site plan needs to be 100 % accurately showing the following

1. Provide location of all trees.
2. Include locations of trees and types of trees that had been removed.
3. Accurately show all building setback lines and easements.
4. Show location of all structures and indicate the use,
5. (E) detached Garage,
6. Indicate the detached garage converted into ADU.
7. (E)house.
8. (E) shed or sheds

Regarding the Redwood Tree removal;

You stated it was recommended to have the tree removed. Please contact the professional tree company that removed.

Please submit following regarding the redwood tree;

- a. submit the arborist report on the health of the redwood tree and why the redwood tree needed to be removed.
- b. Submit any photographs showing before and after photographs of the redwood tree.

Thanks

Mark

Mark Maystrovich | Senior Code Enforcement Officer

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