

**Maystrovich, Mark**

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**From:** Sheikhali, Monet  
**Sent:** Thursday, August 6, 2020 6:04 PM  
**To:** Maystrovich, Mark  
**Subject:** FW: 1900 BRUSH CREEK RD, SANTA ROSA, 95404  
**Attachments:** PED Building Permit Application.pdf

**From:** Sheikhali, Monet  
**Sent:** Monday, September 9, 2019 11:33 AM  
**To:** lichau.amber@gmail.com  
**Subject:** 1900 BRUSH CREEK RD, SANTA ROSA, 95404

Amber,

Here is the link for Final Map: [http://imaps.srcity.org/img/PW\\_Docs/PDF\\_Combined/2002-0071.pdf](http://imaps.srcity.org/img/PW_Docs/PDF_Combined/2002-0071.pdf)  
 Your property is zoned R-1-15-SR (Single Family Residential- Scenic Road). Please see [Section 20-28.050](#) from Santa Rosa Zoning Code Regarding SR zoning district.

For general setback information see [Section 20-30.110](#).  
 Also, attached is the Building Permit application.

Have a great day,

**Monet Sheikhali | City Planner**

Planning and Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404  
 Tel. (707) 543- 4698 | Fax (707) 543-3269 | [msheikhali@srcity.org](mailto:msheikhali@srcity.org)

**Counter Hours**

Monday/Tuesday/Thursday: 8 a.m. – 4:30 p.m.  
 Wednesday: 10:30 a.m. – 4:30 p.m. (No new permits are accepted after 3:30 p.m.)  
 Friday: 8 a.m. to noon (No new permits are accepted after 11:00 a.m.)

## Maystrovich, Mark

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**From:** Sheikhal, Monet  
**Sent:** Thursday, August 6, 2020 5:18 PM  
**To:** Maystrovich, Mark  
**Subject:** FW: [EXTERNAL] Setbacks at 1900 BRUSH CREEK RD, SANTA ROSA, 95404

**From:** Sheikhal, Monet  
**Sent:** Tuesday, October 15, 2019 4:56 PM  
**To:** McKeag, Jesus <JMckeag@srcity.org>; 'irezvoy@gmail.com' <irezvoy@gmail.com>  
**Cc:** 'Tom Lynch' <tlynch@sonic.net>; 'Amber Lichau' <lichau.amber@gmail.com>  
**Subject:** RE: [EXTERNAL] Setbacks at 1900 BRUSH CREEK RD, SANTA ROSA, 95404

Ivan,

Planning has reviewed your request and it has been determined that the new addition needs to comply with the required setbacks for R-1-15-SR zoning district per [Section 20-22.050](#). No need to apply the setbacks being shown on the supplemental sheet.

Let me know if you have any further questions,

### Monet Sheikhal | City Planner

Planning and Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404  
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**From:** McKeag, Jesus <JMckeag@srcity.org>  
**Sent:** Wednesday, October 09, 2019 1:35 PM  
**To:** 'irezvoy@gmail.com' <irezvoy@gmail.com>; Sheikhal, Monet <msheikhali@srcity.org>  
**Cc:** 'Tom Lynch' <tlynch@sonic.net>; 'Amber Lichau' <lichau.amber@gmail.com>  
**Subject:** FW: [EXTERNAL] Setbacks at 1900 BRUSH CREEK RD, SANTA ROSA, 95404

Mr. Rezvoy,

Sorry for the delay in my response. Based on the Map and Site Plan I don't see that the Engineering division would object to the addition proposed. I am also addressing Monet who is our Counter Planner. Building setback lines are the purview of the Planning Division.

Monet,

Can you look at Mr. Rezvoy's Site Plan and comment?

**From:** Ivan Rezvoy [<mailto:irezvoy@gmail.com>]  
**Sent:** Tuesday, October 8, 2019 6:27 PM  
**To:** McKeag, Jesus <[JMcKeag@srcity.org](mailto:JMcKeag@srcity.org)>  
**Cc:** Tom Lynch <[tlynch@sonic.net](mailto:tlynch@sonic.net)>; Amber Lichau <[lichau.amber@gmail.com](mailto:lichau.amber@gmail.com)>  
**Subject:** [EXTERNAL] Setbacks at 1900 BRUSH CREEK RD, SANTA ROSA, 95404

Hello, Mr. McKeag

This is to follow up on my phone call regarding the setbacks as they are shown on the Final Map for the property at 1900 Brush Creek Rd. AP# 182-140-056

The final map (see link below) shows the private road and utility easement of 30' from the northern property line of the parcel 182-140-056. This setback allows for 10'x29' footprint addition to the northern side of the existing house (see attached Site Plan).

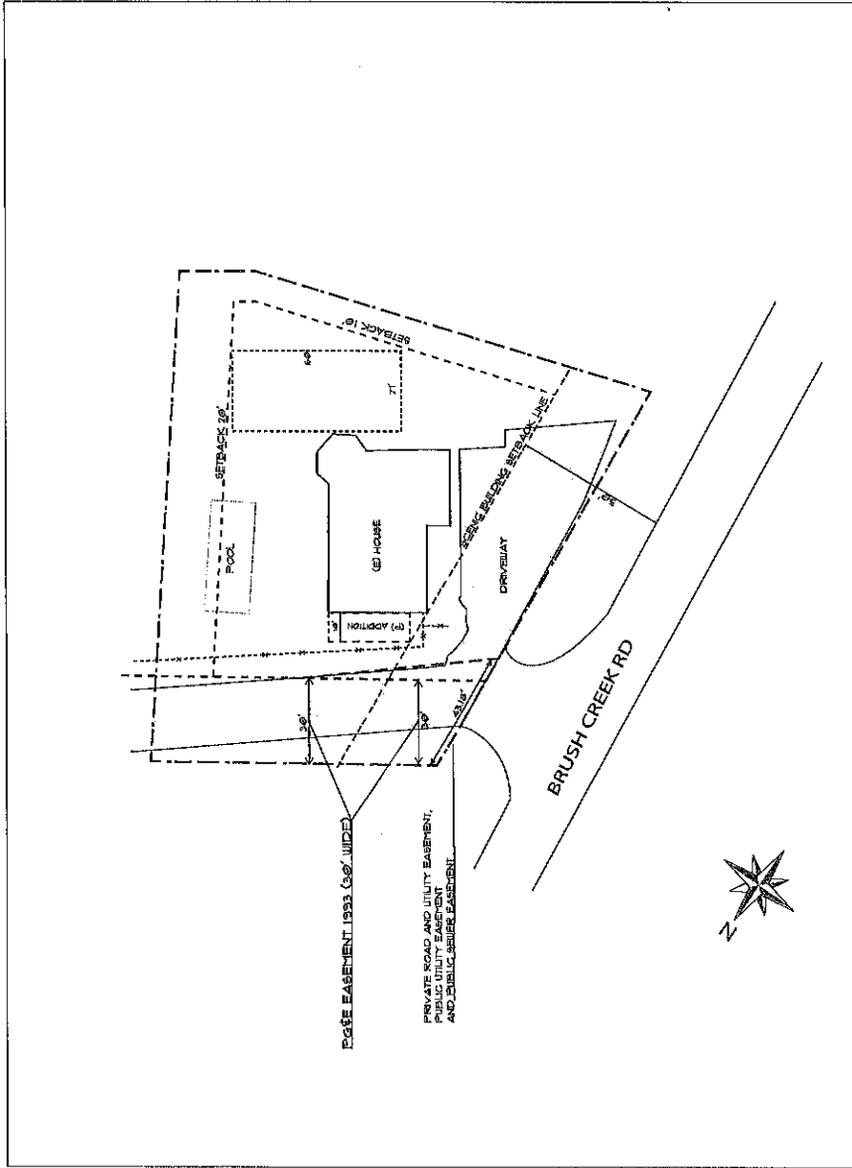
The building envelope, established with the recordation of the final map (see sheet 4 of the Final Map) does not define the distance of its northern boundary from the property line. Final Subdivision Report of June 21, 2000 does not mention this boundary at all. Please advise whether we can proceed with planned improvements as they are shown on the Site Plan, or should we apply for the modification of the building envelopes designated on the parcel .

Here is the link for Final Map: [http://imaps.srcity.org/img/PW\\_Docs/PDF\\_Combined/2002-0071.pdf](http://imaps.srcity.org/img/PW_Docs/PDF_Combined/2002-0071.pdf)

The property is zoned R-1-15-SR (Single Family Residential- Scenic Road).

Sincerely,

Ivan Rezvoy,  
415 279 9055



SITE PLAN  
 SCALE 1"=20'

## Maystrovich, Mark

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**Sent:** Thursday, August 6, 2020 5:18 PM  
**To:** Maystrovich, Mark  
**Subject:** FW: [EXTERNAL] Setbacks at 1900 BRUSH CREEK RD, SANTA ROSA, 95404  
**Attachments:** Site Plan 1900 Brush Creek.pdf

**From:** McKeag, Jesus <JMckeag@srcity.org>  
**Sent:** Wednesday, October 9, 2019 1:35 PM  
**To:** 'irezvoy@gmail.com' <irezvoy@gmail.com>; Sheikhali, Monet <msheikhali@srcity.org>  
**Cc:** 'Tom Lynch' <tlynch@sonic.net>; 'Amber Lichau' <lichau.amber@gmail.com>  
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**Cc:** Tom Lynch <[tlynch@sonic.net](mailto:tlynch@sonic.net)>; Amber Lichau <[lichau.amber@gmail.com](mailto:lichau.amber@gmail.com)>  
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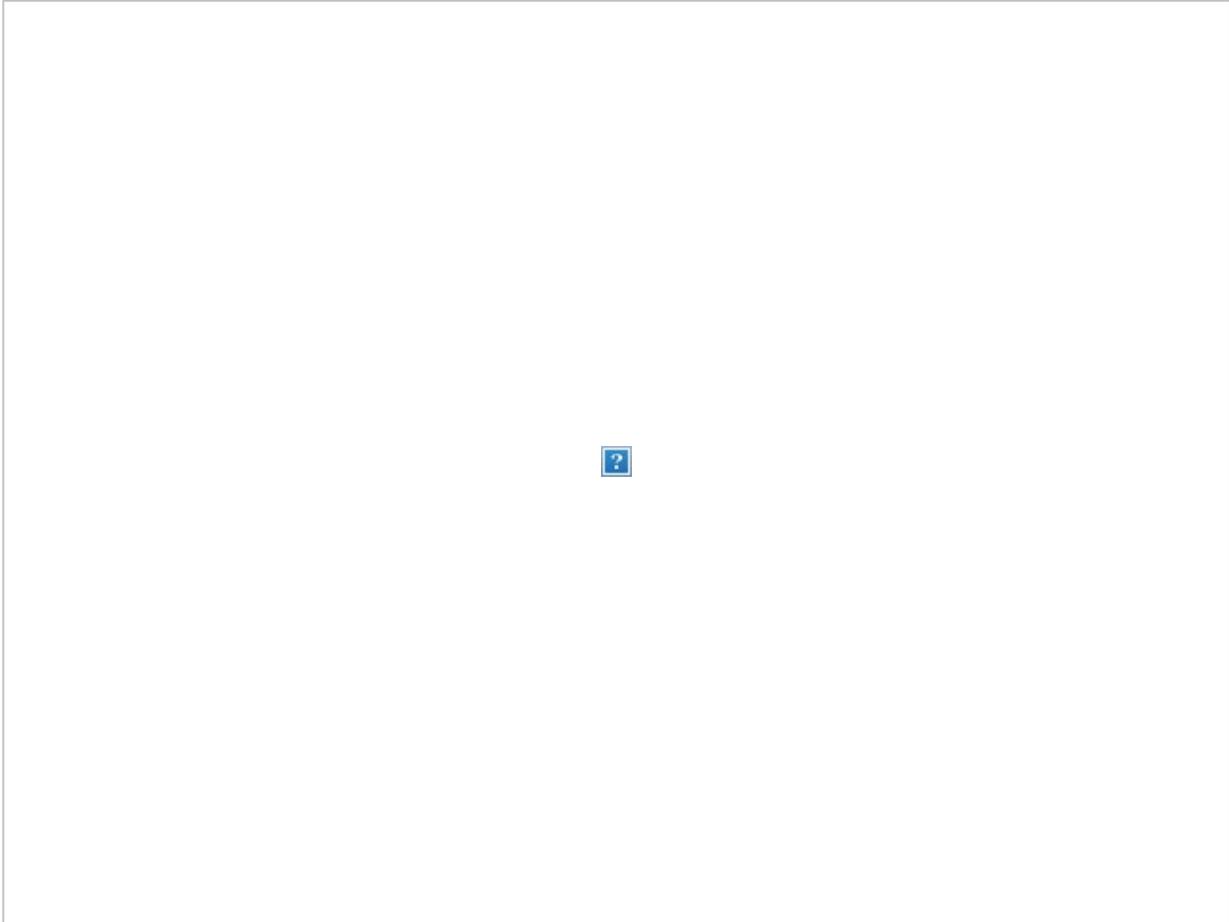
Sincerely,

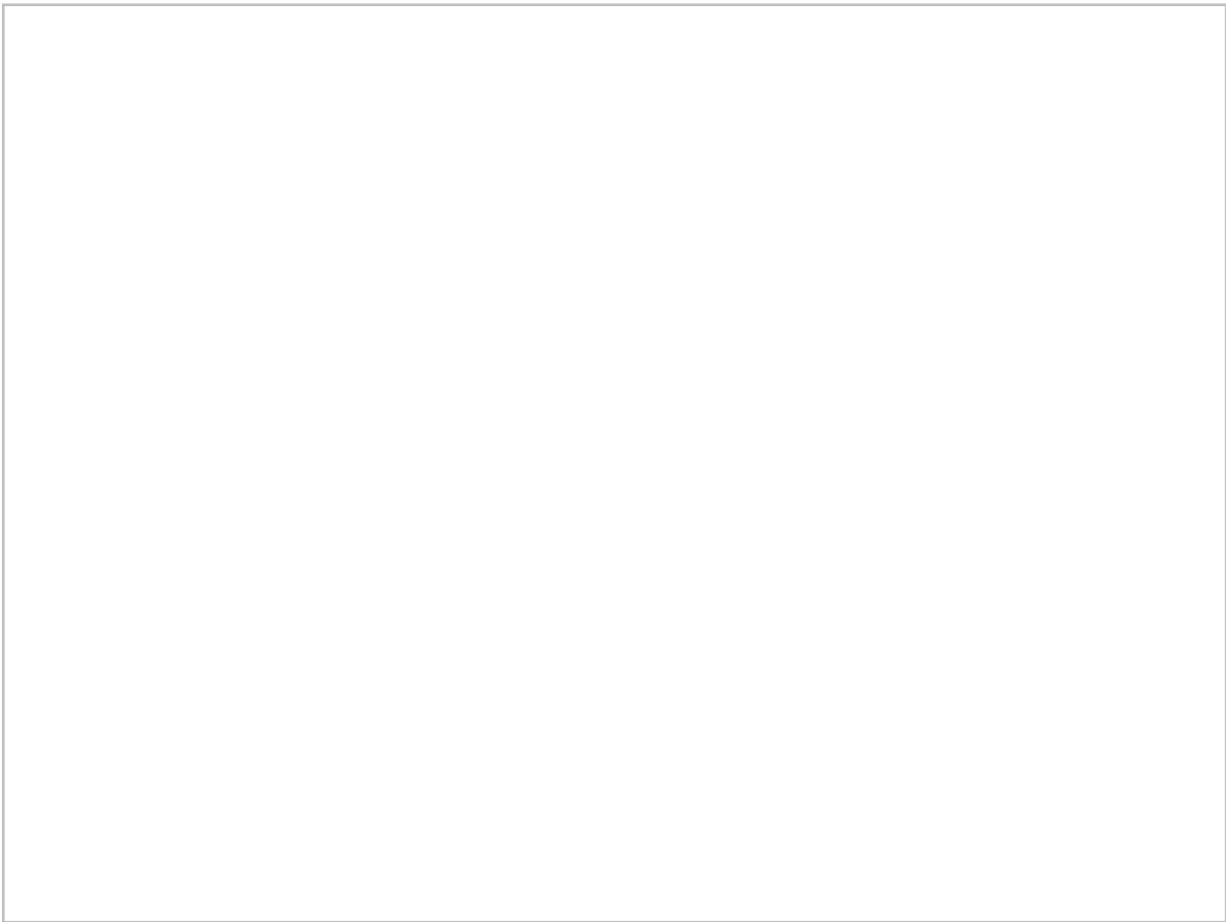
Ivan Rezvoy,  
415 279 9055

**From:** [Sheikhali, Monet](#)  
**To:** [Maystrovich, Mark](#); [Oswald, Jesse](#); [Schalich, Cindy](#); [Abel, Adam](#); [Trippel, Andrew](#)  
**Subject:** RE: [EXTERNAL] Re: 1900 Brush Creek  
**Date:** Thursday, September 24, 2020 8:17:15 AM

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Below is a screenshot from Final Map supplemental sheet.  
Scenic setback has to be 50 ft measured from the edge of the Brush Creek Road.





**Monet Sheikhali | City Planner**

Planning and Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404  
Tel. (707) 543- 4698 | Fax (707) 543-3269 | [msheikhali@srcity.org](mailto:msheikhali@srcity.org)



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**From:** Maystrovich, Mark <MMaystrovich@srcity.org>  
**Sent:** Thursday, September 24, 2020 5:43 AM  
**To:** Oswald, Jesse <JOswald@srcity.org>; Schalich, Cindy <CSchalich@srcity.org>; Abel, Adam <aabel@srcity.org>; Trippel, Andrew <atrippel@srcity.org>; Sheikhali, Monet <msheikhali@srcity.org>  
**Subject:** Fwd: [EXTERNAL] Re: 1900 Brush Creek

Good Morning

The owner sent me the new site plan

Mark

Sent from my iPad

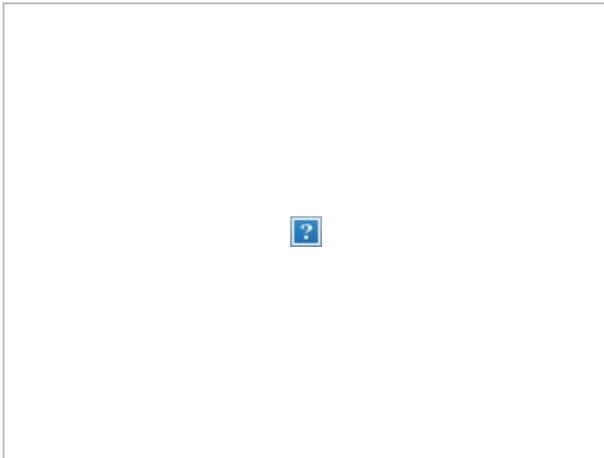
Begin forwarded message:

**From:** Mister Unknown <[daniel\\_lichau@yahoo.com](mailto:daniel_lichau@yahoo.com)>  
**Date:** September 23, 2020 at 7:58:37 AM PDT  
**To:** "Maystrovich, Mark" <[MMaystrovich@srcity.org](mailto:MMaystrovich@srcity.org)>  
**Subject:** [EXTERNAL] Re: 1900 Brush Creek

Hi Mark.

I worked on the site plan showing the tree information and detached garage last night. All of the setbacks were measured by an engineer.

I don't have an ADU or converted garage of any sort. I also don't have any sheds or outbuildings.



I hope this will be sufficient.

Thank you for working with me and thank you for your time.

Dan Lichau

Sent from my iPhone

On Sep 22, 2020, at 3:12 PM, Maystrovich, Mark <[MMaystrovich@srcity.org](mailto:MMaystrovich@srcity.org)> wrote:

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**

Planning and Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3268 | Fax (707) 543-4315 | [mmaystrovich@srcity.org](mailto: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](https://srcity.org/ServiceFinder).

For detailed information about the City of Santa Rosa's ongoing response the coronavirus public health emergency, please visit the City's website at [srcity.org/PreventTheSpread](https://srcity.org/PreventTheSpread)

<image002.jpg>

**From:** [Trippel, Andrew](#)  
**To:** [Oswald, Jesse](#)  
**Cc:** [Maystrovich, Mark](#); [Abel, Adam](#); [Rose, William](#); [Sheikhali, Monet](#); [Crocker, Ashle](#); [McKay, Conor](#)  
**Subject:** RE: 1900 Brush Creek  
**Date:** Monday, November 23, 2020 10:56:00 AM

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Hi Jesse,

In response to your questions for Planning:

1. Yes, during Planning review of a building permit, Planning would approve the residential addition as shown on the site plan.
  
2. Mr. Robertson's letter indicates that a tree image is attached; however, I didn't receive an image of the tree. Could you request that image for the record? In the interim – and lacking an arborist's report specifying that the tree is an imminent hazard – Planning would approve the tree removal as part of the approval of the project and require mitigation of a tree removed in accordance with City Code [Section 17-24.050 Permit category II – Tree alteration, removal, or relocation on property proposed for development – Requirements](#). Based upon my reading of the Tree Ordinance, two circumstances exist with regard to situations where development is approved: (a) a situation where tree removal and development are approved, and (b) a situation where development is approved but tree removal is not. As we discussed, while Planning recommends implementing (a), your discussion with the CE complaint filer may result in (b) being an acceptable suitable alternative.
  - a) In accordance with Subsection 17-24.050(C)(1), for each six inches or fraction thereof of the diameter of a tree **which was approved for removal**, two trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director. Mr. Robertson's letter reports that the total diameter of the removed tree is 74 inches (48+26). Under this criteria, the mitigation requirement is planting of 26 Coast Redwood trees, each a minimum of 15-gallon container size ( $74 / 6 = 12.33$  6-inch increments, which rounds up to 13 sections). In accordance with Subsection 17-24.050(C)(3), If the development site is inadequate in size to accommodate the replacement trees, the trees shall be planted on public property with the approval of the Director of the City's Recreation and Parks Department. Upon the request of the developer and the approval of the Director, the City may accept an in-lieu payment of \$100.00 per 15-gallon replacement tree on condition that all such payments shall be used for tree-related educational projects and/or planting programs of the City. The total payment in-lieu fee would be \$2,600.
  - b) In accordance with Subsection 17-24.050(C)(2), for each six inches or fraction thereof of the diameter of a tree **which was not approved for removal**, four trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the project site,

provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director. Mr. Robertson's letter reports that the total diameter of the removed tree is 74 inches (48+26); Under this criteria, the mitigation requirement is planting of 52 Coast Redwood trees, each a minimum of 15-gallon container size ( $74 / 6 = 12.33$  6-inch increments, which rounds up to 13 sections). In accordance with Subsection 17-24.050(C)(3), If the development site is inadequate in size to accommodate the replacement trees, the trees shall be planted on public property with the approval of the Director of the City's Recreation and Parks Department. Upon the request of the developer and the approval of the Director, the City may accept an in-lieu payment of \$100.00 per 15-gallon replacement tree on condition that all such payments shall be used for tree-related educational projects and/or planting programs of the City. The total payment in-lieu fee would be \$5,200.

Planning would prefer that some number of Coast Redwood mitigation trees be replanted on-site, and it would accept a payment in-lieu fee for the remainder portion of the required mitigation. A tree removal mitigation plan that describes how the property owner intends to mitigate the removal of the Coast Redwood tree is required.

Thanks,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404  
Tel. (707) 543-3223 | Fax (707) 543-3269 | atrippel@srcity.org



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**From:** Oswald, Jesse <JOswald@srcity.org>  
**Sent:** Monday, November 16, 2020 12:09 PM  
**To:** Trippel, Andrew <atrippel@srcity.org>  
**Cc:** Maystrovich, Mark <MMaystrovich@srcity.org>; Abel, Adam <aabel@srcity.org>  
**Subject:** 1900 Brush Creek

Good morning folks,

Apologies for revisiting this one and for the delays. Michael Robertson had executed a letter to accompany the plan enclosed. It had some incorrect info on it so we have the corrected letter here (it took some time for him to revise).

As we discussed in that meeting we had oh-so long-ago; my intent is to verify all the necessary information and talk with the complainant about everything.

My asks:

Planning:

1. Could the addition shown on the site plan be approved?
2. Regarding the removed tree: What will be the mitigation costs? I intend on specifically relaying this to the complainant.

Adam (and realistically Andrew):

1. When I talk to the complainant and explain the realistic approvals – should I explain that when submitted – the application will be approved and no moratorium will be set on the property for two years for applications. If she wishes to appeal this she can to the Director?

I am anticipating a bit of a “conversation” on that.

Thank you in-advance.

Jesse

**Jesse Oswald | Chief Building Official**

Planning & Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404

Tel. (707) 543-3249 | Fax (707) 543-3219 | [joswald@srcity.org](mailto:joswald@srcity.org)



**From:** [Oswald, Jesse](#)  
**To:** [daniel\\_lichau@yahoo.com](mailto:daniel_lichau@yahoo.com)  
**Cc:** [Tony](#); [Maystrovich, Mark](#)  
**Subject:** 1900 Brush Creek Submittal Requirements  
**Date:** Monday, December 7, 2020 10:51:00 AM  
**Attachments:** [administrator@srcity.org\\_20201207\\_103820.pdf](#)  
[administrator@srcity.org\\_20201207\\_103742.pdf](#)  
[administrator@srcity.org\\_20201207\\_103721.pdf](#)  
[administrator@srcity.org\\_20201207\\_103706.pdf](#)

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Good morning,

To facilitate application for the legalization of the addition, please see the analysis below:

1. Through Planning staff's research and analysis shows the unpermitted addition can be permitted. The building setback lines placed on the Final Map Supplemental sheet(s) are not enforceable.
2. The applicant will be required to submit plans and specifications adhering to the attached "As-Built" process: <https://www.srcity.org/DocumentCenter/View/2199/-Handout-for-As-Built-Projects-PDF> . The applicant will be required to pay additional fees due to the work without a permit. The fee shall be equal to the permit fee as described on the bottom of page 28 of the fee schedule: <https://srcity.org/DocumentCenter/View/16129/Planning--Economic-Development-Department-Fee-Schedule?bidId=> . They will also be required to pay the Stop Work Order Removal Fee identified on page 43 (near the middle of the page) "Removal of Stop Work Order".
3. Planning staff have determined that had the applicant applied: The tree that was removed without authorization would have been approved for removal in-accordance with the Tree Ordinance. In accordance with Subsection 17-24.050(C)(1), for each six inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director. Mr. Robertson's letter reports that the total diameter of the removed tree is 74 inches (48+26). Under this criteria, the mitigation requirement is planting of 26 Coast Redwood trees, each a minimum of 15-gallon container size ( $74 / 6 = 12.33$  6-inch increments, which rounds up to 13 sections). In accordance with Subsection 17-24.050(C)(3), If the development site is inadequate in size to accommodate the replacement trees, the trees shall be planted on public property with the approval of the Director of the City's Recreation and Parks Department. Upon the request of the developer and the approval of the Director, the City may accept an in-lieu payment of \$100.00 per 15-gallon replacement tree on condition that all such payments shall be used for tree-related educational projects and/or planting programs of the City. The total payment in-lieu fee would be \$2,600.
4. The additional complaint for bright lights shining on adjacent properties will be required to be

addressed with the building permit submittal.

Steps:

1. Prepared a complete submittal utilizing any and all necessary documents sent to you here – following the “as-built” process:  
<https://www.srcity.org/DocumentCenter/View/2199/-Handout-for-As-Built-Projects-PDF> and the addition/alteration guidance:  
<https://www.srcity.org/DocumentCenter/View/18246/Construction-Documents-Submittal-Requirements-for-Remodel-and-or-Additions-to-Residential-Projects> (since electronic submittals are required – disregard the # of plan sets required).
2. Complete and submit a building permit application:  
<https://www.srcity.org/DocumentCenter/View/2614/Building-Permit-Application-PDF>
3. Address the additional lights installed that potentially shine on any neighboring properties
4. Include this email in the submittal
5. Submit to” [permitsubmittal@srcity.org](mailto:permitsubmittal@srcity.org) If submittals exceed 15mB – provide a drop box or file transfer mechanism.

Regards,

**Jesse Oswald | Chief Building Official**

Planning & Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404

Tel. (707) 543-3249 | Fax (707) 543-3219 | [joswald@srcity.org](mailto:joswald@srcity.org)



**From:** [Trippel, Andrew](#)  
**To:** ["Kathleen Parnell"](#)  
**Bcc:** [Rose, William](#); [Oswald, Jesse](#)  
**Subject:** RE: [EXTERNAL] Re: Planning Commission appeal of 1900 Brush Creek Rd. Code Enforcement Violation  
**Date:** Thursday, December 17, 2020 8:01:00 PM

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Good evening,

Please provide me with several day/time options next week so that I can schedule a phone meeting with you to discuss the contents of this email and the appeal process. In the interim, please know that I am doing my best to provide you with information about the appeal process and respond to your questions given the time resources available to me and the other professional commitments to which I must attend. *I kindly ask you to respect me and my need to manage my workload* by patiently waiting for me to respond to an email from you before sending additional emails.

### **Timeline Summary**

- On February 19, 2020, Code Enforcement Case CE20-0139 was opened against the property at 1900 Brush Creek Road in response to a Code Enforcement complaint citing unpermitted tree removal and unpermitted construction in the form of an addition to the primary dwelling unit.
- On December 7, 2020, the property owner of 1900 Brush Creek Rd. was informed of the Planning Director's determination in response to Jesse Oswald's request for review of the unpermitted tree removal and unpermitted construction.
- On or about December 7, 2020, you were informed by Jesse Oswald of the Planning Director's determination concerning the unpermitted tree removal and unpermitted construction.
- On December 11, 2020, Building Permit application B20-6871 was submitted to legalize the unpermitted tree removal and unpermitted construction.
- On December 14, 2020, Planning and Economic Development received Appeal Application ST20-003 appealing the Planning Director's determination.
- On December 17, 2020, the Building Permit applicant/property owner was informed that an appeal of the Planning Director's determination was filed and that the applicant/property owner will have to pay a Planning Commission Public Hearing fee of \$2,362 in order for the appeal to be heard by Planning Commission.

### **Scheduling of Planning Commission Appeal Public Hearing**

- Zoning Code [Section 20-62.030 Filing and processing of appeals](#) requires that a hearing on the appeal shall be scheduled for the earliest regular meeting following the date on which the appeal was accepted as filed; however, we will not schedule a public hearing until the Planning Commission public hearing fee is paid.
- The next regular meeting of the Planning Commission is scheduled for January 14, 2021, and meeting items for that meeting are due on December 22, 2020. If the fee is not paid by close of business December 21, 2020, then the next regular meeting of the Planning Commission is scheduled for January 28, 2021, and the meeting items are due on January 5, 2021.
- Planning staff will not schedule a Planning Commission public hearing without first confirming

your availability.

### **Submittal of additional Appeal information**

In your Appeal Application dated received by Planning and Economic Development on 12/14/2020, you indicated on the Appeal Application that attachments will follow. On 12/17/2020, you submitted an amended Appeal Application and similarly indicated that attachments will follow. We encourage you to prepare and submit the information that you would like to include with your appeal as quickly as you are able to do so.

### **Specific issues for Planning Commission review**

The Planning Commission appeal public hearing Staff Report will:

- Provide background information about the issue(s),
- Refer to the Appeal Application's grounds for appeal and the specific action which the appellant wants the Planning Commission to take;
- Provide details about Planning's review of the issue and the Planning Director's analysis and determination; and
- Recommend action to Planning Commission.

The Staff Report will be supported by, and the meeting packet will include:

- Application submittals and other City records;
- Information provided by the applicant/property owner;
- Information provided by the appellant;
- Information gathered by City staff;
- Written correspondence between the applicant/property owner, appellant, and City staff; and
- Any other information that Planning staff deems necessary for the Planning Commission to be fully informed.

The Staff Report, Planning Commission resolution for consideration, and supporting materials will be available for public review and comment at least 10 days prior to the scheduled Planning Commission appeal public hearing.

### **Outstanding questions**

1. In your email dated 12/17/2020 @ 6:20 PM you asked: When does the record close?

**Response:** To file an appeal, an Appeal Application is submitted and the appellant provides any information he or she feels is necessary to support the request for appeal. Additional information may be submitted anytime during the appeal process, and Planning staff will provide all information to the Planning Commission as part of the meeting packet; however, information received after the Staff Report is prepared may not be analyzed in the Staff Report. At this time, Planning Staff does not have an estimated timeframe for completion of the Staff Report.

2. In your email dated 12/17/2020 @ 8:32 AM you asked: how long do I have to submit attachments regarding this appeal? What are the specific timelines?

**Response:** Please refer to the response to Question #1.

3. What law and reasoning did Planning apply to 1900 Brush Creek Road to remove the building envelope after I reported the violation, who made the decision, and when was this decision made?

**Response:** I will provide you with a response to this question no later than 12:00 PM on Wednesday, December 23, 2020.

4. Please confirm the issue before the Planning Commission will be the Zoning Code Violation, wherein the owners of 1900 Brush Creek Road built a 12x30' addition, with 9'x30' over their building envelope.

**Response:** I will provide you with a response to this question no later than 12:00 PM on Wednesday, December 23, 2020.

5. In your email dated 12/16/2020 @ 10:41 AM you asked: Could you please get back to me with the reasoning and law applied that removed the building envelope in order to permit this illegal build?

**Response:** I will provide you with a response to this question no later than 12:00 PM on Wednesday, December 23, 2020.

Best Regards,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404  
Tel. (707) 543-3223 | Fax (707) 543-3269 | atrippel@srcity.org



---

**From:** Kathleen Parnell <kathleendparnell@yahoo.com>

**Sent:** Thursday, December 17, 2020 8:32 AM

**To:** Trippel, Andrew <atrippel@srcity.org>

**Subject:** [EXTERNAL] Re: Planning Commission appeal of 1900 Brush Creek Rd. Code Enforcement Violation

Andrew,

Thank you so much for your email. I didn't know that you were going to accept my appeal because I hadn't heard from anyone after submitting it. That said, how long do I have to submit attachments regarding this appeal? What are the specific timelines?

Second, I have not been told what law or reasoning was applied, or is being applied, to 1900 Brush Creek Road in order to remove the building envelope, whereby voiding the zoning code violation. I need this information in order to properly complete my attachments and present information to the Planning Commission. I have asked for this information repeatedly, and I was told that Planning had researched this issue at 1900 Brush Creek Road and were the experts. What law and reasoning did Planning apply to 1900 Brush Creek Road to remove the building envelope after I reported the violation, who made the decision, and when was this decision made?

Lastly, please confirm the issue before the Planning Commission will be the Zoning Code Violation, wherein the owners of 1900 Brush Creek Road built a 12x30' addition, with 9'x30' over their building envelope.

Kind regards,

Kathy

On Wednesday, December 16, 2020, 5:42:03 PM PST, Trippel, Andrew <[atrippel@srcity.org](mailto:atrippel@srcity.org)> wrote:

Good afternoon,

My name is Andrew Trippel and I am the project planner who will be preparing your appeal for review by the Planning Commission. Going forward, please direct all communications to me. If others need to be brought into a conversation, I will do so. Please know that I have participated in issues analyses since the Code Enforcement violation was logged and the case was opened. As a result, I am fully informed about the issues and have been included on or been forwarded the majority of emails about the project. Below are the next steps in processing your appeal.

1. The appeal has been entered into our record system. The record number is ST20-003.
2. The appeal fee has been charged to your credit card. The receipt is attached.
3. In accordance with Zoning Code Section 20-62.030(D), this written appeal “shall automatically stay all proceedings associated with the matter subject to the appeal (e.g., issuance of a Certificates of Occupancy, Building or Grading Permit, etc.), and put in abeyance all permits or approvals which may have been granted, and neither the applicant nor any enforcing agency may rely upon the approval, decision, denial, or other action, until the appeal has been resolved.”
4. Planning staff will notify the property owner that the appeal has been filed.

**On the Appeal Application, you note that “(Attachments to follow)”;** however, I have not received any attachments. **Please submit all attachments to me.** If no attachments are submitted, then the appeal will consider the ground provided on the Appeal Application form.

I am available if you have any questions, and it's best to reach out to me via email first. I will provide additional information about scheduling of the Planning Commission public hearing early next week.

Best,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

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Tel. (707) 543-3223 | Fax (707) 543-3269 | [atrippel@srcity.org](mailto:atrippel@srcity.org)



**From:** [Trippel, Andrew](#)  
**To:** [Kathleen Parnell](#)  
**Bcc:** [Rose, William](#); [Oswald, Jesse](#); [Osburn, Gabe](#)  
**Subject:** RE: [EXTERNAL] Re: Planning Commission appeal of 1900 Brush Creek Rd. Code Enforcement Violation  
**Date:** Wednesday, December 23, 2020 4:20:00 PM  
**Attachments:** [St20-003-Appeal Application w Amended Application.pdf](#)  
[11-23-2020-Trippel-Planning determination.pdf](#)  
[ST20-003-Site Plan.pdf](#)  
[B20-6871-Plan Set.pdf](#)  
[MIN99-006 - LANDS OF DEHNERT.pdf](#)  
[Robertson Engineering Inc-10-30-2020.pdf](#)

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Good afternoon,

Thank you for your patience. Please consider the information below in which I provide an update to the Appeal process and respond to outstanding questions. If you would like to schedule a phone meeting, I am currently available as listed below. If we need to identify other date/time opportunities for a meeting, please let me know.

- Monday, December 28 – 11:00 AM, 4:00 PM
- Tuesday, December 29 – 10:00 AM, 2:00 PM
- Wednesday, December 30 – 8:00 AM, 9:00 AM, 3:00 PM

### **Appeal Process Update**

Planning staff has had the opportunity to further consider the appeal process and notes that that Zoning Code [Section 20-62.030\(E\)\(4\)](#) only requires a public hearing of an appeal if (1) A public hearing was required before making the decision appealed from; or (2) The review authority deems a public hearing desirable. The subject of the Appeal application (attached) is the Planning Director's determination following Planning review of Building Permit B20-6871 for which no public hearing was held. Therefore, the appeal will move forward to Planning Commission as a report item, as opposed to a public hearing, and **a Public Hearing fee is not required**. Both the property owner and appellant will be provided the opportunity to speak during Planning Commission review. Additionally, any information submitted to Planning staff will be included in the meeting item.

Planning staff are working to gather information and prepare required materials for review by the Planning Commission. The next regularly scheduled meeting of the Planning Commission is January 14, 2021. Planning staff is attempting to meet the necessary deadline to have this item included on the January 14, 2020 agenda; however, you have clearly communicated that you have additional information to provide. If you agree, Planning staff can schedule Planning Commission review of the appeal on January 28, 2020. **Please let us know which date you would like to target.**

### **Outstanding Questions**

Planning is responding the following outstanding questions:

- What law and reasoning did Planning apply to 1900 Brush Creek Road to remove the building envelope after I reported the violation, who made the decision, and when was this decision made? **See Residential Addition Approval below.**
- Please confirm the issue before the Planning Commission will be the Zoning Code Violation, wherein the owners of 1900 Brush Creek Road built a 12x30' addition, with 9'x30' over their

building envelope. See **Residential Addition Approval** below.

- Could you please get back to me with the reasoning and law applied that removed the building envelope in order to permit this illegal build? See **Residential Addition Approval** below.
- Please confirm the issue before the Planning Commission will be the Zoning Code Violation, wherein the owners of 1900 Brush Creek Road built a 12x30' addition, with 9'x30' over their building envelope. You have filed an appeal of a Planning Director determination and cited specific grounds for that appeal. Planning Commission will consider your appeal of the Planning Director's determination made during Planning review of Building Permit B20-6871.

In Appeal Applications (attached) dated received by Planning and Economic Development on December 14, 2020, and December 17, 2020, you indicate that the grounds upon which the appeals are filed are:

1. The unpermitted home addition on the frontage Scenic Brush Creek Road is now able to be permitted because "building setback lines placed on the Final Map Supplemental Sheet are not enforceable." The property setback (building envelope) is being voided to enable to an illegal build.
  2. A redwood heritage tree was removed on frontage Brush Cree in a scenic setback and outside the building envelope to enable illegal build.
1. Zoning code violation – Home addition of 12'x30' with 9'x30' through a building envelope.

On November 23, 2020, Acting Supervising Planner Andrew Trippel informed Chief Building Official Jesse Oswald that Planning would (1) approve Planning review of the residential addition as shown on the Site Plan (Exhibit Plat dated August 13, 2020, prepared by Ray Carlson and Associates, Inc, attached), and (2) approve the tree removal and require tree mitigation in accordance with City Code Section 17-24.050 Permit category II (11-23-2020-Trippel-Planning determination, attached). Planning staff's conclusion about a project's compliance with applicable codes is referred to as the "Planning Director's Determination." In the case of B20-6871, the Planning Director determined that (1) the residential addition complies with all applicable Zoning Code regulations, and (3) the tree removal is allowed subject to mitigation. Analysis is provided below.

**Residential Addition Approval** (grounds 1 and 1 above) – During Planning Review, Planning staff reviewed the stamped and signed Site Plan against [Parcel Map No. 609](#) (Final Map) to which the property is subject. The property addressed as 1900 Brush Creek Drive (subject parcel) is referred to as Lot 3 on the Final Map. In addition to parcel lines, the Final Map shows a Road, Sewer and Public Utility Easement recorded against the property. The Final Map does not show any required setback lines. The subject parcel is zoned [R-1-15-SR](#), and the required setbacks for this parcel are: Front = 20 feet, Side Corner = 15 feet, Side Interior = 10 feet, and Rear = 20 feet, except that [Scenic Road \(-SR\) combining district](#) zoning requires a minimum setback of 50 feet measured from edge of pavement to a one-story structure with a maximum height not exceeding 25 feet for parcels fronting Brush Creek Road. This required Building Setback Line is shown on the Site Plan, and the residential addition is located outside of the required 50-foot setback. The project plan set accepted by Building Division for Building Permit application B20-6871 shows a maximum building height of 15-feet, 6-inches (B20-6871-Plan Set, attached). Based upon its review of the project plan set against

applicable Zoning Code requirements, the Planning Director determined that the residential addition complies with applicable development standards and approved Planning Review for B20-6871.

The appellant contends that “The property setback (building envelope) is being voided to enable an illegal build.” The Final Map’s “Supplemental Information Affecting” sheet (Supplemental Sheet) (Sheet 4 of 4) displays a dash-dot-dot-dash line labeled “Scenic Building Setback Line...Single Story Building” and a dashed line on Lot 3 that is similar to dashed lines on Lots 1 and 2, which are labeled as Building Setbacks. Planning staff assumes that the “property setback (building envelope)” that the appellant refers to are these lines displayed on the Supplemental Sheet. Planning staff finds that:

1. Supplemental Sheet Note (1) states that “This sheet is for information purposes only, describing conditions as of filing and is not intended to affect recording interest.”
2. CA [Gov Code § 66434.2](#) states that “On or after January 1, 1987, a city or county may, by ordinance, require additional information to be filed or recorded simultaneously with a final or parcel map. The additional information shall be in the form of a separate document or an additional map sheet which shall indicate its relationship to the final or parcel map, and shall contain a statement that the additional information is for informational purposes, describing conditions as of the date of filing, and is not intended to affect record title interest. The document or additional map sheet may also contain a notation that the additional information is derived from public records or reports, and does not imply the correctness or sufficiency of those records or reports by the preparer of the document or additional map sheet.”
3. Santa Rosa [City Code § 19-28.200](#) states that “Additional information, as set forth in this section, shall be required to be submitted on an additional map sheet which shall be identified as the information sheet and which shall indicate its relationship to the final or parcel map, and shall contain a statement that the additional information is for informational purposes, describing conditions as of the date of filing, and is not intended to affect record title interest. The information sheet shall contain the following:
  - A. The full title block;
  - B. A graphic scale;
  - C. A north arrow;
  - D. All required notes and all required additional survey and map information, including but not limited to, building setback lines, building envelopes, flood hazard zones, seismic lines and setbacks, geologic mapping, archeological sites, creek setback lines, and applicable fees. The additional information need not be provided at the same scale as on the map if, in the opinion of the City Engineer, the result is plainly and readily legible. In no case, shall a scale of greater than one inch to 100 feet be utilized. Typical representations may also be utilized if, in the opinion of the City Engineer, they adequately communicate the desired information. (Ord. 3396 § 1, 1998; Ord. 2622 § 1, 1987)
4. The Final Subdivision Committee Report (MIN99-006 – LANDS OF DEHNERT, attached) providing Conditions of Approval for the subdivision of a 1.3 acre site into 3 single family residential lots at 199 Brush Creek Road dated June 21, 2000, states that “Building setbacks shall be shown on the local agency sheet of the final map. Front setbacks for one story structures shall be 50 feet from the Brush Creek Road pavement and 100 feet for the two

story portion of the structure” (Condition #3). No other setbacks are required by the Final Subdivision Committee Report.

Based on items 1-3 above, Planning has determined that any information listed on the supplement sheet cannot affect record title interest and is not intended to create enforceable development standards. The City will not enforce any information provided on the Supplement Sheet, unless the information is consistent with other municipal code requirements in effect at the time of building permit submittal. As previously stated, the Planning Director has determined that the residential addition complies with all current applicable code requirements pertaining to building setbacks. Additionally, Planning concludes that Final Subdivision Committee Report Condition #3 is enforced through application of the -SR combining district Brush Creek Road required setback for a one-story structure with a maximum height not exceeding 25 feet.

**Heritage Tree Removal** (grounds 2 above) – For those projects for which a Planning discretionary entitlement is not required, Planning & Economic Development policy is to review tree removal and require mitigation during Planning review of a Building Permit. Consistent with this longstanding policy, Planning reviewed the removal of the Redwood Heritage Tree during Planning review of B20-6871.

In accordance with City Code [Section 17-24.050](#) Permit category II – Tree alteration, removal, or relocation on property proposed for development – Requirements. In accordance with Subsection 17-24.050(C)(1), for each six inches or fraction thereof of the diameter of a tree which was approved for removal, two trees of the same genus and species as the removed tree (or another species, if approved by the Director), each of a minimum 15-gallon container size, shall be planted on the project site, provided however, that an increased number of smaller size trees of the same genus and species may be planted if approved by the Director, or a fewer number of such trees of a larger size if approved by the Director. Robertson Engineering Inc. letter dated October 30, 2020 (attached) reports that the total diameter of the removed tree is 74 inches (48+26).

- In accordance with the mitigation formula provided above, the mitigation requirement is planting of 26 Coast Redwood trees, each a minimum of 15-gallon container size ( $74 / 6 = 12.33$  6-inch increments, which rounds up to 13 sections).
- In accordance with Subsection 17-24.050(C)(3), If the development site is inadequate in size to accommodate the replacement trees, the trees shall be planted on public property with the approval of the Director of the City’s Recreation and Parks Department.
- Upon the request of the developer and the approval of the Director, the City may accept an in-lieu payment of \$100.00 per 15-gallon replacement tree on condition that all such payments shall be used for tree-related educational projects and/or planting programs of the City. The total payment in-lieu fee would be \$2,600.

Best Regards,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404



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**From:** Kathleen Parnell <kathleendparnell@yahoo.com>  
**Sent:** Friday, December 18, 2020 12:27 PM  
**To:** Trippel, Andrew <atrippel@srcity.org>  
**Subject:** Re: [EXTERNAL] Re: Planning Commission appeal of 1900 Brush Creek Rd. Code Enforcement Violation

Andrew,

Thank you. I appreciate your response yesterday and certainly respect your need to manage your workload. I simply would like to ensure that I don't miss any critical dates or timelines and more, as I do plan to include an attachment to my Appeal.

I will circle back with possible meeting times next week, and will also follow up with a corrected Timeline Summary, as there are errors below. Unfortunately, I've got back-to-back work meetings this afternoon and won't be able to make corrections until a later time.

Kind regards,  
Kathy

On Thursday, December 17, 2020, 8:01:10 PM PST, Trippel, Andrew <[atrippel@srcity.org](mailto:atrippel@srcity.org)> wrote:

Good evening,

Please provide me with several day/time options next week so that I can schedule a phone meeting with you to discuss the contents of this email and the appeal process. In the interim, please know that I am doing my best to provide you with information about the appeal process and respond to your questions given the time resources available to me and the other professional commitments to which I must attend. *I kindly ask you to respect me and my need to manage my workload* by patiently waiting for me to respond to an email from you before sending additional emails.

### **Timeline Summary**

- On February 19, 2020, Code Enforcement Case CE20-0139 was opened against the property at 1900 Brush Creek Road in response to a Code Enforcement complaint citing unpermitted tree removal and unpermitted construction in the form of an addition to the primary dwelling unit.
- On December 7, 2020, the property owner of 1900 Brush Creek Rd. was informed of the Planning Director's determination in response to Jesse Oswald's request for review of the unpermitted tree removal and unpermitted construction.
- On or about December 7, 2020, you were informed by Jesse Oswald of the Planning Director's

determination concerning the unpermitted tree removal and unpermitted construction.

- On December 11, 2020, Building Permit application B20-6871 was submitted to legalize the unpermitted tree removal and unpermitted construction.
- On December 14, 2020, Planning and Economic Development received Appeal Application ST20-003 appealing the Planning Director's determination.
- On December 17, 2020, the Building Permit applicant/property owner was informed that an appeal of the Planning Director's determination was filed and that the applicant/property owner will have to pay a Planning Commission Public Hearing fee of \$2,362 in order for the appeal to be heard by Planning Commission.

### **Scheduling of Planning Commission Appeal Public Hearing**

- Zoning Code [Section 20-62.030 Filing and processing of appeals](#) requires that a hearing on the appeal shall be scheduled for the earliest regular meeting following the date on which the appeal was accepted as filed; however, we will not schedule a public hearing until the Planning Commission public hearing fee is paid.
- The next regular meeting of the Planning Commission is scheduled for January 14, 2021, and meeting items for that meeting are due on December 22, 2020. If the fee is not paid by close of business December 21, 2020, then the next regular meeting of the Planning Commission is scheduled for January 28, 2021, and the meeting items are due on January 5, 2021.
- Planning staff will not schedule a Planning Commission public hearing without first confirming your availability.

### **Submittal of additional Appeal information**

In your Appeal Application dated received by Planning and Economic Development on 12/14/2020, you indicated on the Appeal Application that attachments will follow. On 12/17/2020, you submitted an amended Appeal Application and similarly indicated that attachments will follow. We encourage you to prepare and submit the information that you would like to include with your appeal as quickly as you are able to do so.

### **Specific issues for Planning Commission review**

The Planning Commission appeal public hearing Staff Report will:

- Provide background information about the issue(s),
- Refer to the Appeal Application's grounds for appeal and the specific action which the appellant wants the Planning Commission to take;
- Provide details about Planning's review of the issue and the Planning Director's analysis and determination; and
- Recommend action to Planning Commission.

The Staff Report will be supported by, and the meeting packet will include:

- Application submittals and other City records;
- Information provided by the applicant/property owner;
- Information provided by the appellant;
- Information gathered by City staff;
- Written correspondence between the applicant/property owner, appellant, and City staff; and
- Any other information that Planning staff deems necessary for the Planning Commission to be fully informed.

The Staff Report, Planning Commission resolution for consideration, and supporting materials will be available for public review and comment at least 10 days prior to the scheduled Planning Commission appeal public hearing.

### **Outstanding questions**

1. In your email dated 12/17/2020 @ 6:20 PM you asked: When does the record close?

**Response:** To file an appeal, an Appeal Application is submitted and the appellant provides any information he or she feels is necessary to support the request for appeal. Additional information may be submitted anytime during the appeal process, and Planning staff will provide all information to the Planning Commission as part of the meeting packet; however, information received after the Staff Report is prepared may not be analyzed in the Staff Report. At this time, Planning Staff does not have an estimated timeframe for completion of the Staff Report.

2. In your email dated 12/17/2020 @ 8:32 AM you asked: how long do I have to submit attachments regarding this appeal? What are the specific timelines?

**Response:** Please refer to the response to Question #1.

3. What law and reasoning did Planning apply to 1900 Brush Creek Road to remove the building envelope after I reported the violation, who made the decision, and when was this decision made?

**Response:** I will provide you with a response to this question no later than 12:00 PM on Wednesday, December 23, 2020.

4. Please confirm the issue before the Planning Commission will be the Zoning Code Violation, wherein the owners of 1900 Brush Creek Road built a 12x30' addition, with 9'x30' over their building envelope.

**Response:** I will provide you with a response to this question no later than 12:00 PM on Wednesday, December 23, 2020.

5. In your email dated 12/16/2020 @ 10:41 AM you asked: Could you please get back to me with the reasoning and law applied that removed the building envelope in order to permit this illegal build?

**Response:** I will provide you with a response to this question no later than 12:00 PM on Wednesday, December 23, 2020.

Best Regards,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404

Tel. (707) 543-3223 | Fax (707) 543-3269 | [atrippel@srcity.org](mailto:atrippel@srcity.org)



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**From:** Kathleen Parnell <[kathleendparnell@yahoo.com](mailto:kathleendparnell@yahoo.com)>  
**Sent:** Thursday, December 17, 2020 8:32 AM  
**To:** Trippel, Andrew <[atrippel@srcity.org](mailto:atrippel@srcity.org)>  
**Subject:** [EXTERNAL] Re: Planning Commission appeal of 1900 Brush Creek Rd. Code Enforcement Violation

Andrew,

Thank you so much for your email. I didn't know that you were going to accept my appeal because I hadn't heard from anyone after submitting it. That said, how long do I have to submit attachments regarding this appeal? What are the specific timelines?

Second, I have not been told what law or reasoning was applied, or is being applied, to 1900 Brush Creek Road in order to remove the building envelope, whereby voiding the zoning code violation. I need this information in order to properly complete my attachments and present information to the Planning Commission. I have asked for this information repeatedly, and I was told that Planning had researched this issue at 1900 Brush Creek Road and were the experts. What law and reasoning did Planning apply to 1900 Brush Creek Road to remove the building envelope after I reported the violation, who made the decision, and when was this decision made?

Lastly, please confirm the issue before the Planning Commission will be the Zoning Code Violation, wherein the owners of 1900 Brush Creek Road built a 12x30' addition, with 9'x30'

over their building envelope.

Kind regards,

Kathy

On Wednesday, December 16, 2020, 5:42:03 PM PST, Trippel, Andrew <[atrippel@srcity.org](mailto:atrippel@srcity.org)> wrote:

Good afternoon,

My name is Andrew Trippel and I am the project planner who will be preparing your appeal for review by the Planning Commission. Going forward, please direct all communications to me. If others need to be brought into a conversation, I will do so. Please know that I have participated in issues analyses since the Code Enforcement violation was logged and the case was opened. As a result, I am fully informed about the issues and have been included on or been forwarded the majority of emails about the project. Below are the next steps in processing your appeal.

1. The appeal has been entered into our record system. The record number is ST20-003.
2. The appeal fee has been charged to your credit card. The receipt is attached.
3. In accordance with Zoning Code Section 20-62.030(D), this written appeal “shall automatically stay all proceedings associated with the matter subject to the appeal (e.g., issuance of a Certificates of Occupancy, Building or Grading Permit, etc.), and put in abeyance all permits or approvals which may have been granted, and neither the applicant nor any enforcing agency may rely upon the approval, decision, denial, or other action, until the appeal has been resolved.”
4. Planning staff will notify the property owner that the appeal has been filed.

**On the Appeal Application, you note that “(Attachments to follow)”; however, I have not received any attachments. Please submit all attachments to me.** If no attachments are submitted, then the appeal will consider the ground provided on the Appeal Application form.

I am available if you have any questions, and it’s best to reach out to me via email first. I will provide additional information about scheduling of the Planning Commission public hearing early next week.

Best,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404

Tel. (707) 543-3223 | Fax (707) 543-3269 | [atrippel@srcity.org](mailto:atrippel@srcity.org)



**From:** [Trippel, Andrew](#)  
**To:** [Kathleen Parnell](#)  
**Cc:** [Rose, William](#)  
**Subject:** 1900 Brush Creek Appeal public meeting on January 28, 2021  
**Date:** Monday, January 4, 2021 4:32:00 PM  
**Importance:** High

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Good afternoon,

An Appeal of Director determinations made during Planning Review of Building Permit B20-6871, which is an application to legalize an addition to an existing residence at 1900 Brush Creek Road, is tentatively scheduled for review by the Planning Commission during its regularly scheduled public meeting on Thursday, January 28, 2021, at or after 4:00 PM. This public meeting will be a virtual Zoom public meeting. Both the applicant and the appellant will have the opportunity to speak during review of the Appeal.

By no later than Wednesday – January 5, 2021 at Noon, please confirm by responding to this email if you will be available to participate in the Planning Commission public meeting on January 28, 2021 at or after 4:00 PM.

1. If both the applicant and the appellant are available on January 28, Planning staff will email you confirmation that the Appeal has been scheduled this Planning Commission public meeting.
2. If the applicant and appellant are not available on January 28, then Planning staff will tentatively schedule the meeting for the next regularly scheduled Planning Commission public meeting on February 11, 2021, and notify you via email.

Thank you,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404  
Tel. (707) 543-3223 | Fax (707) 543-3269 | [atrippel@srcity.org](mailto:atrippel@srcity.org)



**From:** [Kathleen Parnell](#)  
**To:** [Trippel, Andrew](#)  
**Cc:** [Rose, William](#)  
**Subject:** [EXTERNAL] Re: 1900 Brush Creek Appeal public meeting on January 28, 2021  
**Date:** Wednesday, January 6, 2021 8:07:08 AM

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Andrew,

Unfortunately, January 28 will not work for me because I'll need more time to prepare my attachment for the Planning Commission, in light of the fact that I received the reasoning applied to legalize the addition on December 23rd. Let's please target late February or more preferably, early March, so that I can have sufficient time to prepare my attachment for the Planning Commission.

Kind regards,  
Kathy

On Monday, January 4, 2021, 04:32:25 PM PST, Trippel, Andrew <[atrippel@srcity.org](mailto:atrippel@srcity.org)> wrote:

Good afternoon,

An Appeal of Director determinations made during Planning Review of Building Permit B20-6871, which is an application to legalize an addition to an existing residence at 1900 Brush Creek Road, is tentatively scheduled for review by the Planning Commission during its regularly scheduled public meeting on Thursday, January 28, 2021, at or after 4:00 PM. This public meeting will be a virtual Zoom public meeting. Both the applicant and the appellant will have the opportunity to speak during review of the Appeal.

**By no later than Wednesday – January 5, 2021 at Noon, please confirm by responding to this email if you will be available to participate in the Planning Commission public meeting on January 28, 2021 at or after 4:00 PM.**

1. If both the applicant and the appellant are available on January 28, Planning staff will email you confirmation that the Appeal has been scheduled this Planning Commission public meeting.
2. If the applicant and appellant are not available on January 28, then Planning staff will tentatively schedule the meeting for the next regularly scheduled Planning Commission public meeting on February 11, 2021, and notify you via email.

Thank you,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404

Tel. (707) 543-3223 | Fax (707) 543-3269 | atrippel@srcity.org



**From:** [Trippel, Andrew](#)  
**To:** [Kathleen Parnell](#)  
**Cc:** [Rose, William](#)  
**Subject:** RE: [EXTERNAL] Re: Planning Commission 1900 Brush Creek appeal hearing on February 25, 2021  
**Date:** Wednesday, February 10, 2021 5:44:00 PM

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Good afternoon,

Thank you for your email. As I have presented in previous emails, Planning staff is processing the Appeal Application (and amended Appeal Application) in accordance with Zoning Code [Section 20-62.030 Filing and processing of appeals](#). Subsections (E)(1)(b) and (E)(2) direct scheduling of the appeal review at the earliest regular meeting following the date on which the appeal was accepted as filed. Therefore, **Planning staff will continue to prepare for review of the appeal by Planning Commission at its scheduled February 25, 2021, meeting.** As I have previously indicated, materials may be submitted for inclusion in the review packet at any time prior to the meeting. Parties to the appeal could present new information to the Planning Commission during review. Subsection (E)(1)(b) grants the review authority permission to “continue the hearing from time to time until its determination on the appeal.” Therefore, should new information be presented, the Planning Commission has the authority to continue the hearing to allow time for consideration of new information should it choose to do so.

Planning staff has completed the meeting item packet and it will be publicly available [online](#) on February 18, 2021. As is standard procedure, after the meeting item is published for public review, additional information provided by parties to the appeal will be published as Late Correspondence items until the date of the hearing. Information received on the date of the hearing will be distributed to Planning Commissioners, summarized during the hearing for the public record, and permanently retained in the public record. Information in addition to that provided at the time of Appeal Application and amended Appeal Application submittal should be provided to Planning staff for distribution and recordation.

Please feel free to contact with any questions about this response or to provide additional information to be added to your Appeal Application.

Best,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404  
Tel. (707) 543-3223 | Fax (707) 543-3269 | [atrippel@srcity.org](mailto:atrippel@srcity.org)



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**From:** Kathleen Parnell <[kathleendparnell@yahoo.com](mailto:kathleendparnell@yahoo.com)>  
**Sent:** Wednesday, February 10, 2021 1:54 PM

**To:** Trippel, Andrew <atrippel@srcity.org>

**Cc:** Rose, William <WRose@srcity.org>

**Subject:** [EXTERNAL] Re: Planning Commission 1900 Brush Creek appeal hearing on February 25, 2021

Good afternoon, Andrew,

As there are some public records that I have requested and would like to obtain for my attachment to the Planning Commission, could you kindly reschedule the meeting date of my Appeal from February 25th to a later meeting? Late March or early April would be more preferable.

Best regards,  
Kathy

On Thursday, February 4, 2021, 06:02:08 PM PST, Trippel, Andrew <[atrippel@srcity.org](mailto:atrippel@srcity.org)> wrote:

Good afternoon,

Planning Commission will review an Appeal of Director determinations made during Planning Review of Building Permit B20-6871, which is an application to legalize an addition to an existing residence at 1900 Brush Creek Road, during its regularly scheduled public meeting on Thursday, February 25, 2021, at or after 4:00 PM. This public meeting will be a virtual Zoom public meeting. Both the property owner and the appellant will have the opportunity to speak during review of the Appeal.

Information about the scheduled Planning Commission public meeting, including accessing the meeting via Zoom, will be available at <https://srcity.org/1339/Planning-Commission>. The staff report and associated information will be published for public review at least 7 days prior to the meeting. I will email the agenda when it is published.

Best Regards,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

Planning & Economic Development | 100 Santa Rosa Ave Rm 3 | Santa Rosa, CA 95404

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**From:** Trippel, Andrew  
**Sent:** Tuesday, January 19, 2021 6:50 PM  
**To:** Kathleen Parnell <[kathleendparnell@yahoo.com](mailto:kathleendparnell@yahoo.com)>  
**Cc:** Rose, William <[WRose@srcity.org](mailto:WRose@srcity.org)>  
**Subject:** Planning Commission 1900 Brush Creek appeal hearing on February 25, 2021

Good evening,

Planning staff will be prepared to present an Appeal of Director determinations made during Planning Review of Building Permit B20-6871, which is an application to legalize an addition to an existing residence at 1900 Brush Creek Road, for review by the Planning Commission during its regularly scheduled public meeting on Thursday, February 25, 2021, at or after 4:00 PM. This public meeting will be a virtual Zoom public meeting. Both the applicant and the appellant will have the opportunity to speak during review of the Appeal.

Please advise if you will be available to participate in the meeting scheduled on February 25, 2021.

Thank you,

Andrew

**Andrew Trippel | Acting Supervising Planner – Current Planning**

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