



CITY OF FORT BRAGG

Incorporated August 5, 1889

416 N. Franklin Street, Fort Bragg, CA 95437

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www.FortBragg.com

NOTICE OF FINAL ACTION on Design Review

On November 3, 2021, final action was taken by the City on the following Design Review application:

PERMIT TYPE & NO.: Design Review DR 9-21

APPLICANT/OWNER: Ted Balassi

LOCATION: 126 N Franklin St

APN: 008-164-27-B


DESCRIPTION: Re-siding of southern and eastern walls with Hardi-Plank and painting the entire exterior of the building

DATE OF ACTION: 11/3/2021

ACTION BY: Acting Director, Community Development Department

ACTION TAKEN: Approved (See attached Findings and Conditions)
 Denied (See attached Findings)

THIS PROJECT IS: Appealable to the City of Fort Bragg Planning Commission. Decisions of the Director shall be final unless appealed to the Planning Commission within ten (10) days after the decision is rendered. An appeal shall be submitted in writing along with the appeal fee of \$375.00 to the Community Development Department, and shall specifically state the pertinent facts and the basis for the appeal. Appeals shall be limited to issues raised at the administrative public hearing, or in writing before the public hearing, or information that was not known at the time of the decision.


John Smith
Acting Director

11/3/2021
Date

PERMIT FINDINGS

1. The proposed painting of the building complies with the purpose and requirements of this Section: 18.71.050A. Purpose: Design Review is intended to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the small-town, coastal, historic, and rural character of the community.
2. The proposed painting project will not change the architectural design, building massing, and scale appropriate to and compatible with the site surroundings and the community;
3. The proposed painting project will not change whether the building is attractive and has a desirable site layout and design, including building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. The proposed project will not change efficient and safe public access, circulation, and parking;
5. The proposed project will not change the appropriateness of open space or landscaping, including the use of water efficient landscaping;
6. The project is consistent with the General Plan, any applicable specific plan;
7. The colors and their proposed use comply and are consistent with the City's Design Guidelines.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the Planning Commission is filed pursuant to ILUDC Chapter 18.92 - Appeals.
2. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City. Any condition directly addressing an element incorporated into the application exhibits shall be controlling and shall modify the application. All other plans, specifications, details, and information contained within application shall be specifically applicable to the project and shall be construed as if directly stated within the condition for approval. Unless expressly stated otherwise, the applicant is solely responsible for satisfying each condition prior to issuance of the building permit.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be

consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.

5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 100 feet of the discovery; and 2) notify the Director of Public Works within 24 hours of the discovery. Evidence of an archaeological site may include, but is not necessarily limited to shellfish, bones, flaked and ground stone tools, stone flakes produced during tool production, historic artifacts, and historic features such as trash-filled pits and buried foundations. A professional archaeologist on the list maintained by the Northwest Information Center of the California Historical Resources Information System or Listed by the Register of Professional Archaeologists shall be consulted to determine necessary actions.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. That such permit was obtained or extended by fraud.
 - b. That one or more of the conditions upon which such permit was granted have been violated.
 - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Inland Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with ILUDC Subsection 18.76.070 (B).
9. The Standard and Special Conditions of Approval shall be incorporated and printed in the Construction Plans submitted at time of building permit application.
10. Applicant shall indemnify, hold harmless and defend the City of Fort Bragg against any claim brought against the City stemming from the City's approval of this project.

SPECIAL CONDITIONS

1. If the building owner makes additional changes to the design of the building exterior including the façade, landscaping, or other visual change, they shall request an amendment to this approval.