### Attachment C



# Appeal to the Monterey County Board of Supervisors of the UNITY Historic Resources Review Board Resolution # 15CP01861 2015 SEP 28 AM 10: 56

September 28 2015

CLERK OF THE BOARD

Hand delivered

Board of Supervisors County of Monterey, California 168 West Alisal St., 1st Floor Salinas, CA 93901

Attn: Clerk of the Board

Subject: Appeal of Historic Resources Review Board Resolution # 15CP01861

Dear Board of Supervisors,

This letters serves as a formal appeal by Massy Mehdipour and Signal Hill LLC to the County of Monterey Historic Resources Review Board ("HRRB") Resolution # 15CP01861, which relates to my private property located at 1170 Signal Hill Rd in Pebble Beach.

In the aforementioned resolution, HRRB and the County of Monterey Planning Department ("Planning Department") have over stepped their bounds and jurisdiction because they lack the authority to impose the resolution and associated scope of the code enforcement action, resulting in an undue financial hardship and burden on me, and a severe intrusion upon my property rights to the point of an unconstitutional governmental taking.

I am willing to maintain the house through the Environmental Impact Report ("EIR") process and have provided a plan to weatherproof the house, and <u>ask that the Board reject the HRRB Resolution and accept my original plan (enclosed herein as Exhibit A).</u>

### **Background**

As background, I purchased the house as a teardown in April 2004 from a 92 year old owner, who barely maintained the house. The house was in terrible condition when I purchased it in 2004. I applied for a combined development permit in November 2010 to allow for demolition of the existing house and construction of

a new house. After my permit application, my immediate neighbor (Sam Reeves) funded a campaign to have the house listed in the California Register of Historical Resources, without my consent. The process of such registration at the state level is remarkably simple and does not require any site visit to the house or the consent of the owner. The house was listed in the California Register in June 2014. However, Monterey County Code requires the owner's consent for a home to be deemed a historic resource. Monterey County Code Section 18.25.060 states that "no property shall be designated pursuant to this Chapter without the consent of the property owner."

In 2013, I was required to prepare a very costly EIR at my expense (which is estimated to cost more than \$300,000 in total), and I have diligently followed this process. It took the County of Monterey 18 months to issue a contract, which I funded immediately.

In 2013, the Monterey County Chief Building Official provided guidance on how to secure the house during the CEQA review process, which entailed boarding the house and installing a perimeter security fence. I was instructed to lock up the house and wait for the result of the EIR process.

The house has been vandalized numerous times in the past several years, causing severe property damage and theft of many items, including copper flashings, building materials, appliances, furniture, Persian rugs, and more. As a result of the most recent vandalism, I was ordered by the County to temporarily shore up the house with cribbing because it is now a collapsed structure; which cost me more than \$125,000. These costs and efforts were in addition to my other numerous efforts at a great deal of expense to maintain the home.

I have done everything the County has asked me to do since I applied for my permit, including fixing numerous broken windows, bringing a guardrail to current code, boarding up the house, installing a perimeter security fence, and retaining a licensed engineer to perform a structural evaluation to be implemented. Again, the aforementioned work is all in addition to the most recent exceedingly costly and dangerous work, the temporary shoring.

The code compliance order which is the subject of the HRRB Resolution is for the following: "The single family dwelling is not weatherproof. The residence continues to be exposed to the elements and in danger of further deterioration."

This is an issue of maintenance. I responded to the Code Compliance request with a plan (provided herein as Exhibit A). It was rejected as "inadequate" without explanation. We asked for an explanation of why it was inadequate and a request to discuss. Our efforts went unheeded and then the County created its own expanded list. We then provided written comments, to which they were mostly ignored and additional items were added by the County. HRRB's attitude has been almost as if they own the building.

This code compliance order, as well as others, has been brought against me at the request of my immediate neighbor, Sam Reeves. Virtually all houses that are 50+ years old in Monterey County are not in compliance with code; however, my house has been singled out due to complaints filed by my neighbor, and I have been burdened with numerous inspections while others have not.

The following are the points of appeal:

### 1) HRRB Resolution Should Be Rejected Prima Facie

Resolution # 15CP01861 cites Chapter 18.25 of the Monterey County Code as HRRB's basis for reviewing this matter. However, Monterey County Code Section 18.25.060 states that "No property shall be designated pursuant to this Chapter without the consent of the property owner." This basic perquisite has not been met as I have never provided such consent. Therefore, the Resolution as written is fundamentally flawed and should be rejected prima facie. I will continue to do work to meet the basic weatherproofing requirements of my property, but object to the additional burdens which are being attempted to be placed on me.

### 2) No Authority to Impose Long-Term "Mothballing" Plan

Neither the Planning Department nor HRRB has the authority to compel me to implement a long-term 10-year "mothballing" plan in response to a code violation that my house is not weatherproof. All I should be asked to do is to weatherproof the house, which I am willing to do. I submitted a plan to weatherproof the house, and HRRB rejected my plan as "inadequate" without any explanation as to why, and attempted to impose upon me a long-term "mothball" plan without any regard to cost and safety. To reiterate, neither the Planning Department nor HRRB has the authority to compel a private property owner into a 10-year preservation plan.

### 3) Department of Interior Standards Do Not Apply

The Planning Department has claimed that HRRB is needed to assess the Department of Interior's Standards. However, the work involved to weatherproof the house involves maintenance and no alteration to the building, and as such no permit is even needed. A listing on the California Register of Historical Resources does not impose any restrictions on maintenance upon a private property owner. (Reference letter from Office of Historic Preservation: "There are no restrictions placed upon a property owner with regard to...maintenance..."). California State Code 15064.5 uses the standard of "material alteration" and "materially impaired." Weatherproofing a house does not entail material alteration, and whether or not a permit is needed is not even germane to the topic as it is not referenced in any way. My plan has been submitted voluntarily, as a permit is not needed.

In fact, the HRRB Resolution itself states in its own Findings that the work would not adversely affect the property. Therefore, my plan as shown in Exhibit A herein, which is less intrusive to the house, likewise does not adversely affect the property.

### 4) Department of Interior Standards Have Been Incorrectly Applied

Even though the Department of Interior's standards do not apply, my plan is actually consistent with the Department of Interior's standards. HRRB has not only been erroneously involved, but has even gone beyond that by attempting to impose burdens on a private property owner by imposing "to the highest extent the requirements and the procedures of Brief # 31." (Reference HRRB Meeting August 6, 2015 audio recording file time 1:12:05). My plan to use tarps is not inconsistent with a temporary "mothballing" plan per the Department of Interior's standards. The Brief discussed the use of tarps for fixing roofs as a temporary measure; our plan does not include tarps for the roofs but instead patches to the roof and tarps used on the sides of the building securely fastened. Using tarps on the temporary cribbing, which was ordered by the County, is the optimal solution due to its irregular shape and surface. In addition, the standard to be used should be temporary regardless.

Brief 31 states the following: "This Preservation Brief focuses on the steps needed to 'de-activate' a property for an extended period of time. The steps discussed in

this Brief can protect buildings for periods of up to ten years." HRRB reaffirms their own 10 year view of their mothballing plan and Brief (Reference HRRB Meeting August 6, 2015 audio recording file time 41:25). I have no obligation as a private property owner to take measures to "mothball" my house for 10 years.

### 5) HRRB Gave No Consideration to Costs

As indicated in the HRRB meetings on numerous occasions, HRRB did not consider the costs of their suggested plans, and had no budget in mind. Reference comments made during the August 6, 2015 HRRB meeting that stated the financial issues onerous to the owner are "not something being considered." (See HRRB Meeting August 6, 2015 audio recording file time 39:45). Also reference the following statement: "I understand that in some cases it's financially burdensome. We're past that." (Reference HRRB Meeting August 6, 2015 audio recording file time 37:55). HRRB's suggested plan is far more expensive and time consuming than my plan which is more than adequate to maintain the property.

### 6) Life Threatening Recommendations

Employing HRRB's recommendations would create extraordinarily dangerous and life threatening conditions by having people work under the failed structure and on top of the failed deck that has been <u>temporarily</u> shored. These recommendations directly contradict the recommendations of the licensed engineer. During the temporary shoring process, the County wanted to impose its own solution of using 4 by 4 which the engineer vehemently objected to because she was very concerned about a death occurring on the property.

### 7) Biased HRRB Process

The HRRB review process was extremely biased despite our attempt to voluntarily try to work with the County in good faith. I responded to the Code Compliance request with a plan. It was rejected as "inadequate" without explanation. We asked for an explanation of why it was inadequate and a request to discuss. Our efforts went unheeded and then the County created its own expanded list. We then provided written comments, to which they were mostly ignored and additional items were added by the County. HRRB's attitude has been almost as if they own the building.

Some of the misconduct that occurred at the Monterey County Historic Resource Review Board on September 3, 2015 in Salinas highlights the biased process. As HRRB witnessed firsthand, a member of the public, who HRRB knows well, interrupted my representative with the use of profanity while he was speaking to HRRB regarding this matter which was an agenda item (*Reference HRRB Meeting September 3, 2015 audio recording file time 1:00:43*). This attack was an attempt to intimidate, and should not be tolerated in any Monterey County government meeting. Compounding the intimidation, he was allowed to remain present for the duration of the meeting. In addition, this same individual was allowed to speak out of turn (*Reference HRRB Meeting September 3, 2015 audio recording file time 49:27*), while the same benefit was not extended to the my representative (*Reference HRRB Meeting September 3, 2015 audio recording file time 38:50*). This member of the public is one of the people adding to the list of items to the long-term 10 year "mothball" plan on my private property.

### 8) Selective "Prosecution"

I have been singled out by the County due to the concerted efforts of my neighbor, Sam Reeves, and the County is now becoming complicit in this harassment by continuously asking me to take actions it does not ask of other property owners. The number of houses in Monterey County that are not weatherproof is far greater than just mine. As an example, my neighbor conducted unpermitted construction activities at night, and nothing was done.

### 9) My Property Rights & The County's Governmental Taking

The HRRB Resolution and Planning Department directive seeks to have me endure undue hardship, costs and effort in an attempt to "mothball" the house on a long-term basis. The house is a failed structure, and I am only willing to do the minimum required of me as a property owner, which is weatherproofing the house. I have provided such a plan, and ask that the Board reject the HRRB Resolution and accept my plan (enclosed herein as Exhibit A).

HRRB's stated mission and accompanying plan is to mothball my private property for 10 years without any consideration to cost. I do not have budget for anything beyond my minimum responsibilities as a private property owner. The HRRB approach would amount to a blatant unconstitutional government taking.

Meanwhile, I am going through a CEQA-related review process via the EIR, which has been ongoing for over two years.

### Conclusion

Time, money and efforts needs to be spent on the EIR and to implement a long-term solution. I have been diligently complying with numerous County requests, and I respectfully <u>request that the Board of Supervisors respect my basic and fundamental property rights by rejecting the HRRB Resolution # 15CP01861 and accepting my original plan (enclosed herein as Exhibit A).</u>

Sincerely,

Massy Mehdipour

Signal Hill LLC

111 Independence Dr.

Menlo Park, CA 94025

### **Enclosures:**

Exhibit A – Owner's Weatherproof Plan; HRRB Resolution # 15CP01861; Office of Historic Preservation Letter; Cashier's Check for \$1,728.07.

### **References:**

HRRB Meeting August 6, 2015 audio recording file:

http://www.co.monterey.ca.us/planning/cca/HRRB/2015/Audio Minutes/080615 HRRB.MP3

HRRB Meeting September 6, 2015 audio recording file:

http://www.co.monterey.ca.us/planning/cca/HRRB/2015/Audio Minutes/090315 HRRB.MP3

## Exhibit A Appeal of Historic Resources Review Board Resolution # 15CP01861

### **Owner Weatherproofing Plan Summary**

This Owner Weatherproofing Plan Summary is provided to the Monterey County Board of Supervisors in conjunction with the Appeal of the Historic Resources Review Board Resolution # 15CP01861 related to the property at 1170 Signal Hill Rd in Pebble Beach.

The items below are also included on the attached three drawings, which were provided to the Monterey County Planning Department on July 27, 2015 in response to the Code Compliance Order (File No. 13CE00338).

### Site Plan

Remove all debris and unused building materials from the site.

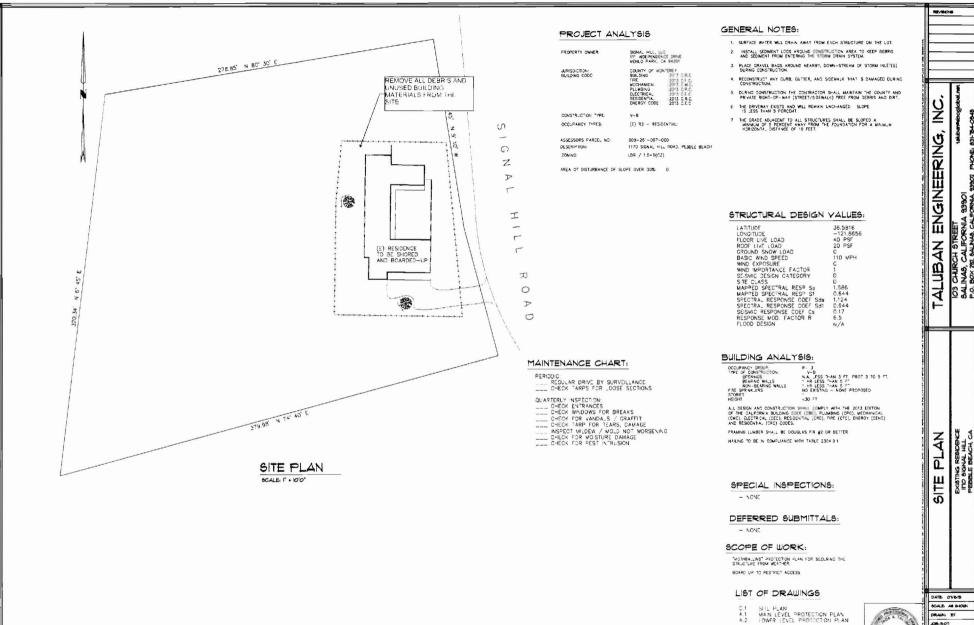
### **Lower Level**

- Extend tarp to cover damaged door.
- Add tarp surrounding temporary shoring. Fasten tarp to (e) slab with 2x4 nailer w/ power activated pins @ 32" o.c. & to overhead deck fascia with 2x4 nailer w/ 2 SDS25300 screws @ 24" o.c.
- Add tarp surrounding temporary shoring. Fasten to (e) slab with 2x4 nailer w/ power activated pins at 32" o.c. and to deck fascia board with 2x4 nailer w/ 2 sds25300 screws @ 24" o.c.

### Main Level

- Add flashing at top of parapet walls. Seal flashing to existing siding to create a waterproof barrier for the wood framing.
- Secure all windows and doors.
- Add flashing surrounding fireplace/ roof connection. Caulk as necessary.
- 2x4 nailer w/ 2 SDS25300 crews at 24" o.c. to secure tarp to deck fascia. Tarp at lower level.
- Add flashing at top of parapet walls. Seal flashing to existing siding to make a weatherproof connection.
- Check roof for leaks, patch as necessary.

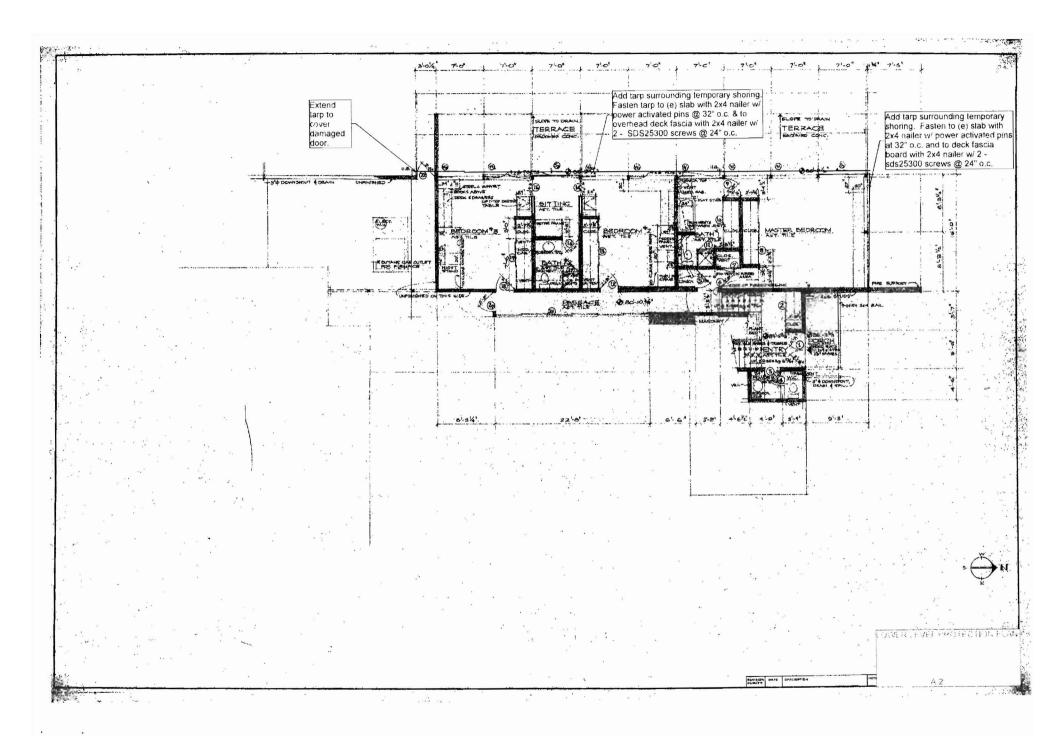
<u>See attached 3 drawings from Taluban Engineering, Inc.: 1) Site Plan, 2) Lower Level Protection Plan, and 3) Main Level Protection Plan</u>

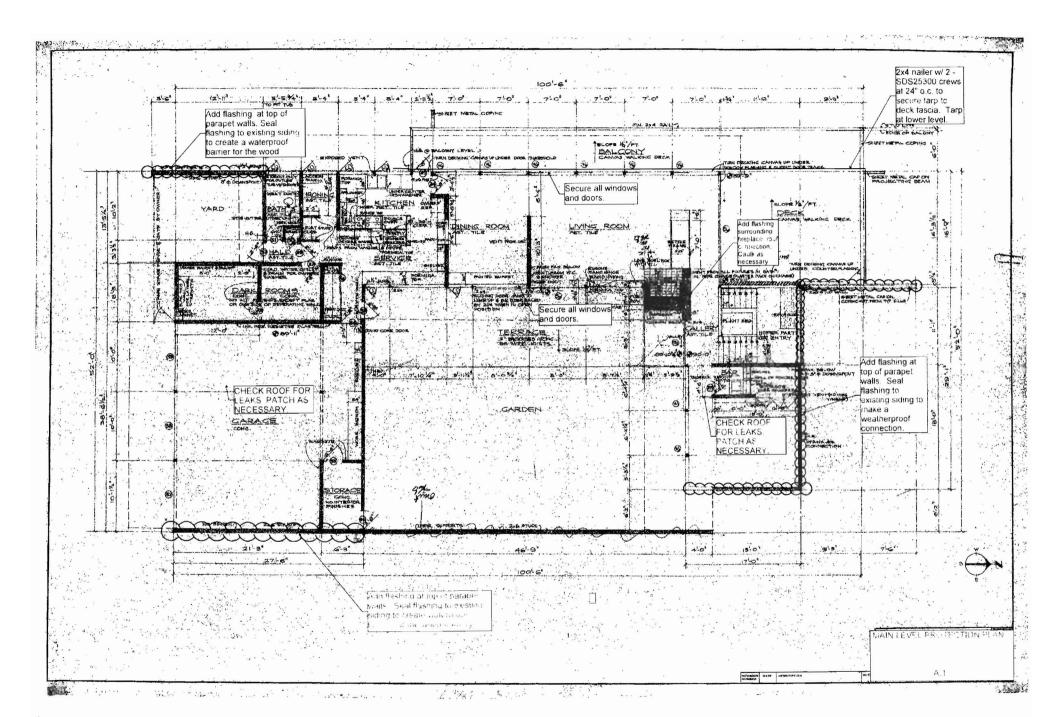




JOB: 8-01

APN: UNKHOUN "C.1





### Before the Historic Resources Review Board in and for the County of Monterey, State of California

Resolution No. 15CP01861 (Signal Hill, LLC). Resolution by the Monterey County Historic Resources Review Board (HRRB) recommending that the Monterey County Building official approve a Mothball Protection Plan for a single-family dwelling located on the subject property, known as the "Connell Arthur and Kathleen House," which has been determined eligible for the National Register of Historic Places and is listed in the California Register of Historical Resources. The project is located at 1170 Signal Hill Road, Pebble Beach (Assessor's Parcel Number 008-261-007-000).

### REVISED

September 17, 2015

(This resolution supersedes the previous resolution mailed on September 11, 2015)

WHEREAS, this matter was considered by the Historic Resources Review Board (HRRB) of the County of Monterey on August 6, August 24 and September 3, 2015, pursuant to the regulations for the Preservation of Historic Resources as contained in Chapter 18.25 of the Monterey County Code and the Secretary of the Interior's Standards; and

WHEREAS, the parcel is located at 1170 Signal Hill Road, Pebble Beach, (APN 008-261-007-000) within the area of the Del Monte Forest Land Use Plan in the Coastal Zone; and

WHEREAS, the "Connell Arthur and Kathleen House" located on the subject property is listed in the California Register of Historical Resources and is eligible for listing in the National Register of Historic Places; and

WHEREAS, the property owner has applied for a Planning Permit (File No. PLN100338) and a Construction Permit (Permit No. 15CP01573) for the demolition of the existing dwelling; and

WHEREAS, an Environmental Impact Report is under preparation for the proposed demolition of the existing dwelling; and

WHEREAS, vandalism and neglect have resulted in significant damage and affected the original architectural character and value of the dwelling which are the basis for the listing of the dwelling in the California Register of Historical Resources; and

WHEREAS, a code enforcement action (File No. 13CE00338) has been initiated on the property and a Code Enforcement Compliance Order has been issued by RMA-Building requesting the owner to provide protective measures to effectively protect the dwelling from additional deterioration; and

WHEREAS, Signal Hill LLC has installed protective measures to prevent further structural deterioration of the dwelling and has filed with the County of Monterey, an application for a Construction Permit (Permit No. 15CP01861) for a Mothball Protection Plan to include protection measures of existing dwelling on the property.

REGEIVED MONTEREY COUNTY

2015 SEP 28 AM 10: 56 CLERK OF THE BOARD

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WHEREAS, Preservation Brief No. 31 of the National Park Service contains standards for the mothballing of historic buildings and the HRRB has reviewed the Mothball Protection Plan per those standards.

WHEREAS, having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the HRRB, the HRRB rendered its decision to adopt findings and evidence to approve the Mothball Protection Plan, subject to the following findings:

Finding:

The proposed work is consistent with Chapter 18.25 of the Monterey County Code and the Secretary of the Interior's Standards for the mothballing of historic buildings and will neither adversely affect the remaining significant architectural features of the designated historical resource nor further adversely affect the character, historical, architectural, or aesthetic interest or value of the designated resource and its site.

Finding:

The Mothball Protection Plan and other measures already installed by the applicant would prevent additional structural deterioration, protect the building from sudden loss, weatherize and maintain the building to stop moisture penetration and control humidity levels inside the building.

Finding:

The proposed protective measures for the historic resource site will neither adversely effect nor be incompatible with the use and exterior of existing designated historical resource on the site.

Evidence:

- 1. Mothball Protection Plan as contained under Construction Permit No. 15CP0186 including the measures recommended by the HRRB and staff after the August 27, 2015 site visit;
- 2. National Park Service Preservation Brief No. 31:
- 3. Oral testimony and HRRB discussion during the public hearings and the administrative record.

THERFORE, it is the decision of the Monterey County Historic Resources Review Board to approve the Mothball Protection Plan submitted by Signal Hill LLC subject to the following conditions:

1. All the protection measures contained in the Mothball Protection Plan prepared by Taluban Engineering, as modified by the Conditions enumerated by the Historical Resources Review Board at their meeting on September 3, 2015, must be proactively carried out and maintained throughout the completion of the Environmental Impact Report being prepared for the proposed demolition of the dwelling and until the Board of Supervisors has considered and acted on the proposed demolition.

PASSED AND ADOPTED on this 3<sup>rd</sup> day of September, 2015, upon motion of Salvador Munoz, seconded by Barbara Rainer, by the following vote:

AYES:

Munoz, Scourkes, MacClelland, Rainer, Prader

NOES:

None

ABSENT:

Morgantini

ABSTAIN:

None

Attest Luis Osorio, Project Planner September 3, 2015

THIS RESOLUTION WAS ORIGINALLY SENT TO THE APPLICANT ON SEPTEMBER 11, 2015.

THIS RESOLUTION WAS RE-SENT TO THE APPLICANT ON SEPTEMBER 17, 2015 WITH THE MOTHBALLING PLAN AND THE CONDITIONS APPLIED BY THE HISTORIC RESOURCES REVIEW BOARD ON SEPTEMBER 3, 2015.

THE ACTION OF THE HISTORICAL RESOURCES REVIEW BOARD REGARDING THIS PERMIT IS APPEABLE TO THE BOARD OF SUPERVISORS SUBJECT TO THE PROVISIONS OF CHAPTER 18.25.180 (A) OF THE MONTEREY COUNTY CODE.

Based on the HRRB and Code Compliance inspection on August 27, 2015, the following are the requirements that need to be included in the Mothball Permit and implemented to meet the intent of the Secretary of Interior's Brief #31 for mothballing a historic resource:

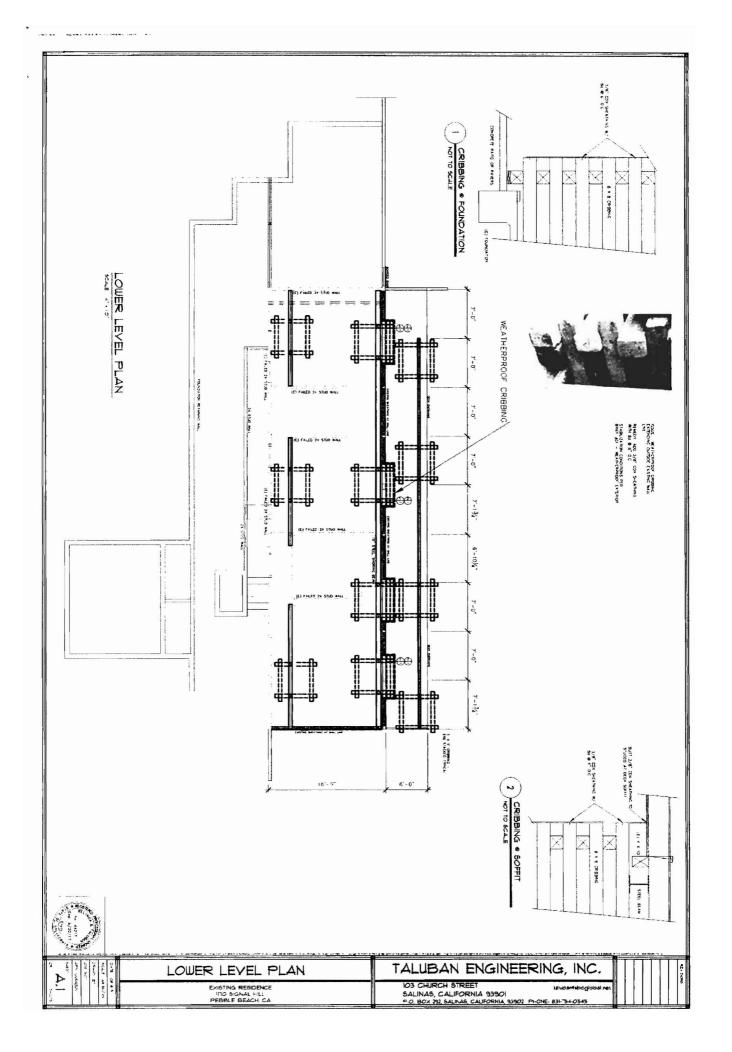
- 1) All exterior wall penetrations shall be sealed from moisture penetration. This includes but is not limited to light or electrical boxes, foundation vents, damaged stucco or exterior finishes.
- 2) All debris, mildew or mold laden materials (including wall and ceiling sheetrock), carpet/pad, window curtains, etc. shall be removed from the structure to provide a "broom clean" interior. The Plan must develop an approach to address the mold issue, including treating surfaces with mold, and maintaining positive air flow. Where sheet rock is removed, strapping shall be installed to provide structural stability. The carpet/padding may remain under the cribbing. All hazardous materials shall be disposed in a manner appropriate with applicable regulations.
- 3) All exterior sheathing used for weatherproof measures shall be either "marine grade" plywood that is painted or Exposure I rated sheathing (OSB or plywood) with an elastomeric type primer finish. The sheathing shall be painted and shall lap the exterior building finish a minimum of 3/4" per standard construction standards and shall be fastened to the building frame with wood screws a minimum of 6 inches on center. All panel joints shall have a minimum of 2x4 backing for support.
- 4) All eave vents (roof and floor) shall be repaired with an approved wire mesh. Not just roof eaves.
- 5) All downspouts at the exterior of structure will be connected to a pipe to direct any flows away from the building foundation.
- 6) Roofing contractor to verify that the flashing drip edge at the front door roof eave is connected property to protect the fascia board.
- 7) All exterior debris including the broken window glass shall be removed from the surrounding sand dunes.
- 8) All windows that are broken or no longer are weatherproof shall be boarded with approved sheathing.
- 9) Provide smoke and fire alarm systems that include a Fire District-approved monitored system. Provide dehumidifiers to remove moisture; dehumidifiers must be checked periodically and can be removed upon a determination by the Building Official that the interior of the structure is dry.
- 10) All mechanical equipment must have a regular power supply.
- 11) The occupant or motion sensor system must be monitored system to provide the appropriate level of security.
- 12) Mechanical ventilation must provide a minimum of 2-3 air changes per hour. This will require multiple fans that operate periodically (timer controlled) or continuously. Provide verification of the number of fans, fan capacities and ventilation opening sizes to meet this minimum standard.

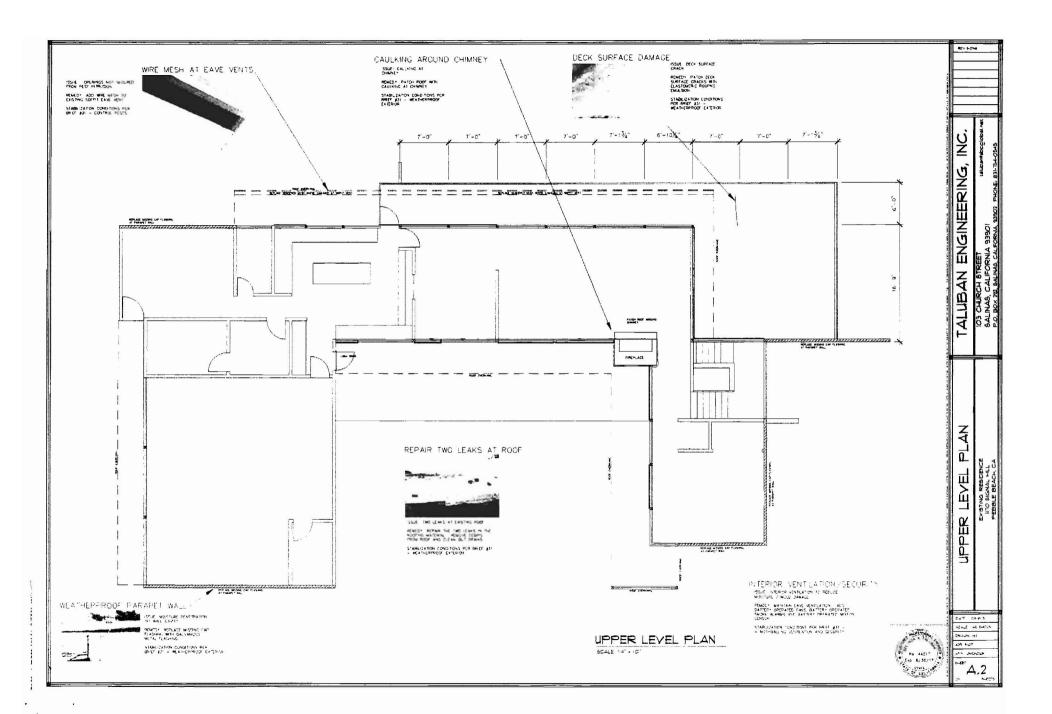
### Specific requirement for this structure include:

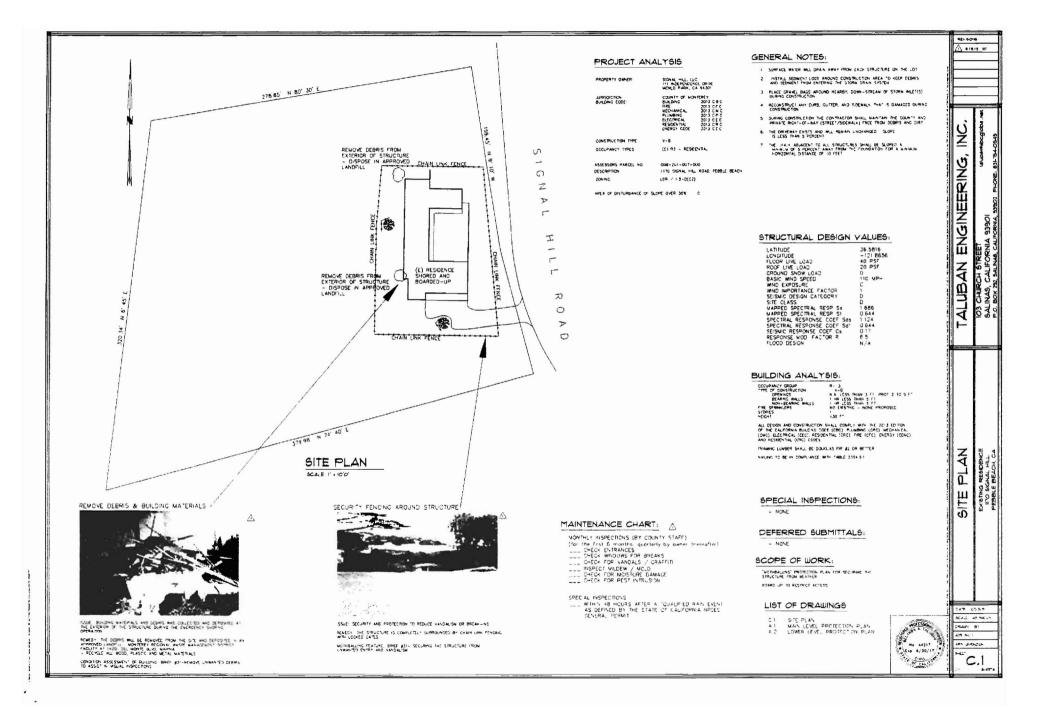
- 1) Provide a detail of the repair for the damaged stucco finish where the deck guard-wall meets the full height wall. The repair must be weatherproof.
- 2) Provide roof inspection report to address all the weatherproof requirements for the roof

system.

- 3) The deck weatherproofing shall include the repair of deck surface damage along with repair of the seal between the walls and deck.
- 4) The patio window that is cracked shall be boarded up.
- 5) The damaged door to the patio shall be repaired or boarded up.
- 6) The details for the plywood application around the cribbing shall include top and bottom connections to eliminate pest access and weatherproofing. Pressure treated sills or blocking is required where the cribbing is setting on bare ground.
- 7) Provide the mechanical ventilation locations (with fan capacity and opening dimensions) throughout the structure.
- 8) Provide lead/asbestos report for the removal of the building materials and debris.
- 9) The maintenance schedule shall allow the Building Official to mandate repairs to the Mothball improvements throughout the period of time the Mothball operation is in effect. The Building Official will give the owner written demand for repairs and the repairs shall be implemented as determined by the Building official.
- 10) Repair, secure and maintain the temporary fencing and netting and maintain the property in a clean manner.
- 11) Dispose of hazardous materials in an appropriate manner within four weeks of issuance of the Mothballing Plan.
- 12) An inspection shall be permitted after a significant rain event (1/2 of rain in a 24 hr period).
- 13) All work performed under the Mothball Permit shall be completed within four (4) weeks of issuance of the permit.
- 14) The roof shall be inspected by a licensed roofing contractor. The contractor shall issue a letter certifying that roof repairs will provide a water-tight roof. The open chimney cap must be replaced to prevent leaks.
- 15) The inspection schedule will be monthly with the Building department until the Mothball operation is terminated by other action or permit.







### OFFICE OF HISTORIC PRESERVATION DEPARTMENT OF PARKS AND RECREATION

P.O. BOX 942896 SACRAMENTO, CA 94296-0001 (916) 445-7000 Fax: (516) 445-7053 calshpo@parks.ca. jov

MONTEREY COUNTY

2015 SEP 28 AM 10: 56

CLERK OF THE BOARD

and delivered

July 11, 2014

Ms. Massy Mehdipour Signal Hill, LLC 1425 Dana Avenue Palo Alto, California 94301

Connell Arthur and Kathleen House, Determination of Eligibility National Register of Historic Places

Dear Ms. Mehdipour:

I am writing to inform you that on June 13, 2014, Connell Arthur and Kathleen House was determined eligible for the National Register of Historic Places (National Register). As a result of being determined eligible for the National Register, this property has been listed in the California Register of Historical Resources, pursuant to Section 4851(a)(2) of the California Code of Regulations.

There are no restrictions placed upon a private property owner with regard to normal use, maintenance, or sale of a property determined eligible for the National Register. However, a project that may cause substantial adverse changes in the significance of a registered property may require compliance with local ordinances or the California Environmental Quality Act. In addition, registered properties damaged due to a natural disaster may be subject to the provisions of Section 5028 of the Public Resources Code regarding demolition or significant alterations, if imminent threat to life safety does not exist.

If you have any questions or require further information, please contact Jay Correia of the Registration Unit at (916) 445-7008.

Sincerely.

Carol Roland-Nawi

State Historic Preservation Officer

ent Toke & Pair, Ph.D.



### RE: 1170 Signal Hill - HRRB Recommendations / Hearing

Ford, John H. x5158 < FordJH@co.monterey.ca.us>

Tue, Sep 15, 2015 at 8:23 AM

To: Sateez Kadivar <sateez@jotter.com>

Cc: "taluban@sbcglobal.net" <taluban@sbcglobal.net>, "Bowling, Joshua x5227" <BowlingJ@co.monterey.ca.us>, "Burns, Tim O. x6770" <BurnsTO@co.monterey.ca.us>, Massy Mehdipour <massy@jotter.com>

Hi Sateez

I understand the Clerks office will not allow the normal appeal form to be used for applications associated with Title 18, which is what this process falls under. A letter will suffice, with the appropriate fee.

If you have questions or need assistance, please let me know.

John

John Ford

RMA - Services Manager

Resource Management Agency -- Planning

(831) 755-5158

To view your project online via Accela Citizen Access, please use the following link: https://aca.accela.com/monterey/Default.aspx

From: Sateez Kadivar [mailto:sateez@jotter.com]
Sent: Monday, September 14, 2015 1:32 PM

To: Ford, John H. x5158

Cc: taluban@sbcglobal.net; Bowling, Joshua x5227; Burns, Tim O. x6770; Massy Mehdipour

Subject: Re: 1170 Signal Hill - HRRB Recommendations / Hearing

John,

Please advise where we find the appeal forms and any appeal procedure details including the fee.

Thanks,
Sateez
On Fri, Sep 11, 2015 at 2:18 PM, Ford, John H. x5158 < FordJH@co.monterey.ca.us > wrote:
Hi Belinda:
The appeal is to the Board of Supervisors and the fee is \$1,728.07. It needs to be filed within 10 days of the mailing of the resolution to you.
John
John Ford
RMA - Services Manager
Resource Management Agency Planning
(831) 755-5158
To view your project online via Accela Citizen Access, please use the following link: https://aca.accela.com/monterey/Default.aspx
From: Taluban Engineering [mailto:talubanengr@gmail.com]

Sent: Friday, September 11, 2015 9:27 AM

To: Ford, John H. x5158; Bowling, Joshua x5227; Burns, Tim O. x6770

Cc: Massy Mehdipour; sateez@jotter.com

Subject: 1170 Signal Hill - HRRB Recommendations / Hearing

Dear John;

I would like to coordinate my clients their options concerning the "Mothball" permitting process. I personally do not have any experience in appealing a HRRB decision. I am requesting information as to how we proceed if we do not agree with the conditions that the HRRB is recommending for this project.

I would like to inform my clients to the cost and timelines necessary to meet to appeal the latest decision.

Thank you for your time and assistance.

Sateez Kadivar <sateez@jotter.com>



### RE: Resolution - 1170 Signal Hill LLC

Osorio, Luis x5177 <osoriol@co.monterey.ca.us>

Fri, Sep 18, 2015 at 11:42 AM

To: Sateez Kadivar <sateez@jotter.com>

Cc: "Ford, John H. x5158" < FordJH@co.monterey.ca.us>, Massy Mehdipour < massy@jotter.com>, 112-Clerk of the Board Everyone < 112-Clerk of the Board Everyone@co.monterey.ca.us>

Good morning Mr. Kadivar.

The appeal period is counted in calendar, not business days. The deadline to appeal the action by the HRRB is Monday, September 28, 2015.

Thank you,

#### Luis A. Osorio

Senior Planner / Planning Department

Monterey County Resource Management Agency

osoriol@co.monterey.ca.us

(831) 755-5177

From: Sateez Kadivar [mailto:sateez@jotter.com]
Sent: Friday, September 18, 2015 11:10 AM

To: Osorio, Luis x5177

Cc: Ford, John H. x5158; Massy Mehdipour; 112-Clerk of the Board Everyone

Subject: Re: Resolution - 1170 Signal Hill LLC

Luis,

Please confirm/clarify that the last day for us to appeal the HRRB Resolution # 15CP01861 is October 1, 2015, which is 10 business days from September 17, 2015. Thank you.

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On Thu, Sep 17, 2015 at 4:39 PM, Osorio, Luis x5177 <osoriol@co.monterey.ca.us> wrote:

Good afternoon Mr. Kadivar.

The mailing date of the corrected Resolution is today, September 17, 2015.

#### Luis A. Osorio

Senior Planner / Planning Department

Monterey County Resource Management Agency

osoriol@co.monterey.ca.us

(831) 755-5177

From: Sateez Kadivar [mailto:sateez@jotter.com]
Sent: Thursday, September 17, 2015 4:11 PM

To: Ford, John H. x5158

Cc: Allen, Carol x5178; Osorio, Luis x5177; Massy Mehdipour; 112-Clerk of the Board Everyone

Subject: Re: Resolution - 1170 Signal Hill LLC

John,

What is the mailing date of the correct Resolution going to be? The new/correct mailing date will determine the appeal date, which is 10 days after. Thank you.

Sateez

From: "Ford, John H. x5158" <FordJH@co.monterey.ca.us>

Date: September 17, 2015 at 2:50:08 PM PDT

To: "Allen, Carol x5178" <AllenC@co.monterey.ca.us>, "talubanengr@gmail.com"

<talubanengr@gmail.com>, "'massy@jotter.com" <massy@jotter.com> Cc: "Osorio, Luis x5177" <osoriol@co.monterey.ca.us> Subject: RE: Resolution - 1170 Signal Hill LLC</osoriol@co.monterey.ca.us></massy@jotter.com></talubanengr@gmail.com>
Hi Carol:
This resolution needs to have the conditions attached to it that were imposed by the HRRB.
John
John Ford
RMA - Services Manager
Resource Management Agency Planning
(831) 755-5158
To view your project online via Accela Citizen Access, please use the following link: https://aca.accela.com/monterey/Default.aspx
From: Allen, Carol x5178  Sent: Friday, September 11, 2015 3:08 PM  To: 'talubanengr@gmail.com'; 'massy@jotter.com'  Cc: Ford, John H. x5158; Osorio, Luis x5177  Subject: Resolution - 1170 Signal Hill LLC
Hello,
Attached is the resolution from the Historic Resources Review Board (HRRB) for the abovementioned project. Hard copies will follow.
Please feel free to contact the project planner Luis Osorio, if you have any comments or questions via email, osoriol@co.monterey.ca.us or phone 831-755-5177.
Thank you

Senior Secretary

Monterey County Resource Management Agency - Planning

831.755.5178 (VM)

831.757.9516 (Fax)

allenc@co.monterey.ca.us

To access the environmental documents related to a project, go to the Quick Link "Citizen Access – Look up Permits On-line" at https://acaslc.accela.com/monterey/default.aspx

00-53-3364B 11-2010 **Bank of America** PHOENIX, AZ Bank of America, N.A. Remitter (Purchased By): Order Of COUNTY OF MONTEREY APPEAL TO HRRB RESOLUTION #15CP01861 SATEEZ KADIVAR Cashier's Check Date 09/25/15 11:36:03 AUTHORIZED SIGNATURE 1077802747

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK.

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HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENTS



ALPHA COPY **OFFICIAL RECEIPT** 

### **COUNTY OF MONTEREY**

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