



Type



Docs



Plans

ORD02-0006

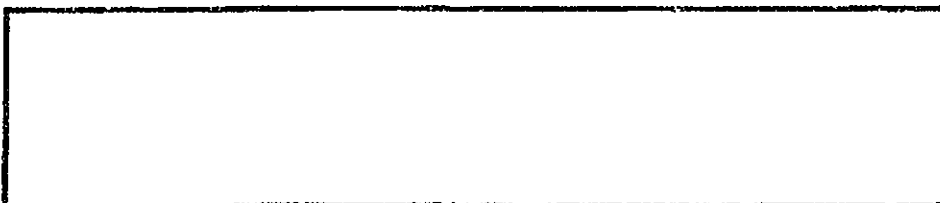
Building Permit Number (List all associated with these Documents)

17153

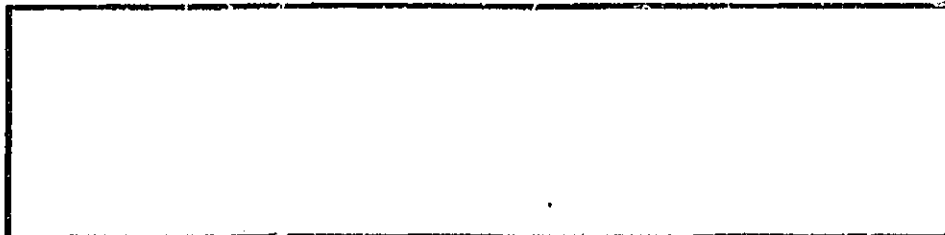
Street Number

BODEGA HWY

Street Name



Community Code



APN

COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA

(707) 565-1900 FAX (707) 565-1103

ORDINANCE INTERPRETATION/DETERMINATION APPLICATION RECEIPT

Date: Apr 11, 2002
Time: 12:44
File #: ORD02-0006

Site Address

17153 BODEGA HWY BOD

Owner

PRATHER PATRICK L TR ET AL
PO BOX 244
BODEGA CA
94923

Applicant

PRATHER PATRICK L TR ET AL
PO BOX 244
BODEGA CA
94923

Description

DETERMINATION OF LEGAL NON-CONFORMING STATUS

Parcel No: 103-120-005
Zoning: RC

RF

Total Acres:
Gen Plan Land Use:

APPLICATION FEE SUMMARY

Item #	Item Account Code	Description	Fee	Previously Paid
1090	025015-3831	ORD. DETERMIN/INTERPRET	\$371.00	\$.00
6090	025015-3831-W	ORD. DETERMIN/INTERPRET	\$.00	\$.00
			-----	-----
			\$371.00	\$.00
Total Calculated Fees			\$371.00	
Previously Paid			\$.00	

Balance Due			\$371.00	

CASH REGISTER
VALIDATION
REQUIRED

Planning Application

PJR-001

File#: ORD 02-0006

Type of Application:

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Admin Cert. Compliance | <input type="checkbox"/> Design Review Comm./Ind. | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Ag./Timber Preserve | <input type="checkbox"/> Design Review Residential | <input type="checkbox"/> Mobile Home Zoning Permit | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Cert. of Compliance | <input type="checkbox"/> Design Review Signs | <input type="checkbox"/> Ordinance Interpretation | <input type="checkbox"/> Zoning Permit |
| <input type="checkbox"/> Cert. of Modification | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Second Unit Permit | <input checked="" type="checkbox"/> Other: <u>After-Construction</u> |
| <input type="checkbox"/> Coastal Permit | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Specific/Area Plan Amendment | |
| <input type="checkbox"/> Design Review Admin. | <input type="checkbox"/> Major Subdivision | <input type="checkbox"/> Use Permit | |

Applicant (Contact Person):

Name: PATRICK PRATHER
 Mail Address: PO BOX 244
RODEGA BAY CA 94923
 City/Town: RODEGA BAY State/Zip: CA 94923
 Phone: (707) 875-3859 Fax:
 Signature: [Signature] Date: 4/11/02

Owner, if other than Applicant:

Name: _____
 Mailing Address: _____
 City/Town: _____ State/Zip: _____
 Phone: _____ Fax: _____
 Signature: _____ Date: _____

Other Persons to be Notified: (Specify: Agent, Lender, Architect or Engineer)

Name: _____	Name: _____	Name: _____
Mailing Address: _____	Mailing Address: _____	Mailing Address: _____
City/Town: _____ State/Zip: _____	City/Town: _____ State/Zip: _____	City/Town: _____ State/Zip: _____
Title: _____	Title: _____	Title: _____
Phone: _____ Fax: _____	Phone: _____ Fax: _____	Phone: _____ Fax: _____

Project Information:

Address(es): 17153 BODEGA HWY RODEGA BAY
103-120-005, 103-110-001, 103-110-002 City/Town: RODEGA BAY
 Assessor's Parcel Number(s): _____ Acreage: 0.51

Project Description: DETERMINATION OF LEGAL NON CONFORMING STATUS

Site Served by Public Water? ☐ yes ☒ no Site Served by Public Sewer? ☐ yes ☒ no Number of new lots proposed: N/A

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

Planning Area: 1 Supervisorial District: 5 Current Zoning: RC, HD, SR General Pl. Land Use: LC
 Specific Plan: LOWER RIVER S.P. Land Use: _____ Needs CEQA Review? ☐ yes ☒ no

Commercial/Industrial Uses: (Enter numbers where applicable)

Blkg. sq. ft. Existing: _____ Proposed: _____ Existing Employees: _____ New Employees: _____

Residential Uses: (Enter numbers where applicable)

New Single Family Homes: _____ New Multi-Family Units: _____ New Second Units: _____
 New Manufactured Homes: _____ New Units For Sale: _____ New Units For Rent: _____ Density Bonus Units: _____

Violation? ☒ yes ☐ no; Application resolve planning violation? ☒ yes ☐ no; Penalty applicable? ☐ yes ☐ no; Civil Penalty Factor: _____

Previous Files: NONE Application accepted by: Volanda Solano Date: 4/11/02

Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 527-1900

FAX (707) 527-1103

Field Operations • Code Enforcement • Permits • Environmental & Comprehensive Planning

HISTORY OF PROPERTY'S USES AND STRUCTURES

Property Owner: PATRICK PRATHER

Telephone: (707) 875-3859

Property Address: 17153 BODEGA HWY

Parcel No.: 103-120 005

In order to determine if the existing use and/or structures on your property are permitted as a legal non-conforming use, it is necessary that you provide a documented record of the history of the use(s) of the property.

Please check those agencies listed below that have issued permits or licenses relative to the use of the property. Attach a copy of permits or licenses.

☐ Planning Department
☐ Public Health
☐ Department of Motor Vehicles
☐ Air Pollution Control District
☐ Other: _____

☐ Regional Water Quality Control Board
☐ Department of Alcoholic Beverage Control
☒ Board of Equalization
☐ Other: _____
☐ Other: _____

The following sections must be completed for each year that the use existed on your property beginning with the date the use was established to the present. Provide the month and year and a detailed description of the operation or use (i.e. type of business, days and hours of operation, number and kind of equipment, number and kind of animals, structures used, number of employees, etc.).

Month _____ Year 1868

Description of Use(s): Saloon
Family business - used Artisan's co-op building

Year: 1879
Use: Murray House Hotel & Restaurant - used main house
Family business

Month _____ Year 1953

Description of Use(s): Jim Cetta - insurance & tax preparation
Self employed - Used Artisan's co-op building

Year: 1960
Tombe Realty - Real Estate, insurance - used Artisan's co-op building
Self employed

Legal non-conforming use determination

Month

Year

1975

Description of Use(s): Antique shop and furniture reconditioning
7 days/wk, noon-5, used main house and barns on the road.
Self employed

Month

Year

1990

Description of Use(s): Antique shop "Collector's Depot" - Antique sales
6 days/wk, noon-5, used Artisan's Co-op building
Self employed

Month

June

Year

1992

Description of Use(s): Antique & retail shop "The Birds Nest"
7 days/wk - 11AM - 5PM, used main house and barns on road
Self employed

Month

December

Year

1995

Description of Use(s): Antique shop & retail business - Art, Antique
clothes, dried flowers "Collector's Depot", used main house
and barns on the road. Self employed.

Month

April

Year

1996 to present

Description of Use(s): Artisan's Co-op. Co-operative retail of
local arts & crafts. Use Artisan's Co-op building

Month: January

Year: 2001

Art, Antiques, Pottery retail sales, use main house
Self employed — Use additional sheets if necessary —

In addition to completing this form, the following must be provided:

1) Site plan of the property on 8-1/2" x 11" paper to include but not be limited to:

- a. name and address;
- b. scale, north point, dimensions of property lines;
- c. location of all buildings and structures showing use of same and date of construction;
- d. location of roads, parking areas;
- e. location of waterways, streams;
- f. any additional information pertinent to each case.

2) Pertinent documents that substantiate the use(s) of the property for each year during the period in question. These documents may include but are not limited to:

- a. receipts;
- b. business records;
- c. County or State licenses and permits;
- d. deeds;
- e. notarized affidavits;
- f. dated photographs.

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

3/1/2002 SR JH 97-991555

PATRICK PRATHER
PATRICK LARRY PRATHER
17135 BODEGA HWY.
BODEGA, CA 94923

THIS PERMIT DOES NOT
AUTHORIZE THE HOLDER
TO ENGAGE IN ANY
BUSINESS CONTRARY TO
LAWS REGULATING THAT
BUSINESS OR TO
POSSESS OR OPERATE
ANY ILLEGAL DEVICE.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE
BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED BUT IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS,
OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES
DUE BY THE NEW OPERATOR OF THE BUSINESS.

Not valid at any other address

FOR GENERAL TAX QUESTIONS, PLEASE TELEPHONE OUR INFORMATION CENTER AT 1-800-400-7115.

BOE-442-R REV. 13 (8-00)

**NOTICE TO INDIVIDUALS REGARDING
INFORMATION FURNISHED TO THE BOARD OF EQUALIZATION**

The Information Practices Act of 1977 and the Federal Privacy Act requires this agency to provide the following notice to individuals who are asked by the State Board of Equalization (Board) to supply information, including the disclosure of the individual's social security account number.

Individuals applying for permits, certificates, or licenses, or filing tax returns, statements, or other forms prescribed by this agency, are required to include their social security numbers for proper identification. [See Title 42 United States Code Section 405(c)(2)(C)(i)]. It is mandatory to furnish all the appropriate information requested by applications for registration, applications for permits or licenses, tax returns and other related data. Failure to provide all of the required information requested by an application for a permit or license could result in your not being issued a permit or license. In addition, the law provides penalties for failure to file a return, failure to furnish specific information required, failure to supply information required by law or regulations, or for furnishing fraudulent information.

Provisions contained in the following laws require persons meeting certain requirements to file applications for registration, applications for permits or licenses, and tax returns or reports in such form as prescribed by the State Board of Equalization: Alcoholic Beverage Tax, Sections 32001-32556; Childhood Lead Poisoning Prevention Fee, Sections 43001-43651; Health & Safety Code, Sections 105275-105310; Cigarette and Tobacco Products Tax, Sections 30001-30481; Diesel Fuel Tax, Sections 60001-60709; Emergency Telephone Users Surcharge, Sections 41001-41176; Energy Resources Surcharge, Sections 40001-40216; Hazardous Substances Tax, Sections 43001-43351; Integrated Waste Management Fee, Sections 45001-45984; International Fuel Tax Agreement, Sections 9401-9433; Motor Vehicle Fuel License Tax, Sections 7301-8405; Occupational Lead Poisoning Prevention Fee, Sections 43001-43651; Health & Safety Code, Sections 105175-105197; Oil Spill Response, Prevention, and Administration Fees, Section 46111-46751; Government Code, Sections 86111-86706.3; Publicly Owned Property, Sections 1840-1841; Sales and Use Tax, Sections 6001-7279.8; State Assessed Property, Sections 721-868, 4876-4880, 5011-5014; Tax on Insurers, Sections 12001-13170; Timber Yield Tax, Sections 38111-38908; Tire Recycling Fee, Sections 55051-55381; Public Resources Code, Sections 42860-42895; Underground Storage Tank Maintenance Fee Sections 50101-50161; Health & Safety Code, Sections 25280-25299.96; Use Fuel Tax, Sections 8601-9355.

The principal purpose for which the requested information will be used is to administer the laws identified in the preceding paragraph. This includes the determination and collection of the correct amount of tax. Information you furnish to the Board may be used for the purpose of collecting any outstanding tax liability.

As authorized by law, information requested by an application for a permit or license could be disclosed to other agencies, including, but not limited to, the proper officials of the following: 1) United States governmental agencies: U.S. Attorney's Office; Bureau of Alcohol, Tobacco and Firearms; Depts. of Agriculture, Defense, Justice; Federal Bureau of Investigation; General Accounting Office; Internal Revenue Service; the Interstate Commerce Commission; 2) State of California governmental agencies and officials: Air Resources Board; Dept. of Alcoholic Beverage Control; Auctioneer Commission; Employment Development Department; Energy Commission; Exposition and Fairs; Food & Agriculture; Board of Forestry; Forest Products Commission; Franchise Tax Board; Dept. of Health Services; Highway Patrol; Dept. of Housing & Community Development; California Permit Locator Service; 3) State agencies outside of California for tax enforcement purposes; and 4) city attorneys and city prosecutors; county district attorneys, sheriff departments.

As an individual, you have the right to access personal information about you in records maintained by the State Board of Equalization. Please contact your local Board office listed in the white pages of your telephone directory for assistance. If the local Board office is unable to provide the information sought, you may also contact the Disclosure Office in Sacramento by telephone at (916) 445-2918. The Board officials responsible for maintaining this information, who can be contacted by telephone at (916) 445-6464, are: **Sales and Use Tax**, Deputy Director, Sales and Use Tax Department, 450 N Street, MIC:43, Sacramento, CA 95814; **Excise Taxes, Fuel Taxes and Environmental Fees**, Deputy Director, Special Taxes Department, 450 N Street, MIC:31, Sacramento, CA 95814; **Property Taxes**, Deputy Director, Property Taxes Department, 450 N Street, MIC:63, Sacramento, CA 95814.

*All references are to the California Revenue and Taxation Code unless otherwise indicated.

RECORDING REQUESTED BY
Sonoma Title Guaranty Company
AND WHEN RECORDED MAIL TO

Name: PATRICK L. PRATHER and NANCY L. BREEN
Street Address: P.O. BOX 244
BODEGA BAY, CA 94923
City, State Zip

Order No. 00400170-004-MT



SONOMA TITLE GUARANTY
01/11/2001 08:00 DEED
RECORDING FEE: 20.00
COUNTY TAX: 487.50

2001003497

OFFICIAL RECORDS
SONOMA COUNTY
BERNICE A. PETERSON

2



SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE ()

☒ unincorporated area
☐ City of

Documentary tax is \$ -0- City

\$487.50 - County

☒ computed on full value of interest or property conveyed, or
☐ full value less value of liens or encumbrances remaining at the time of sale

Parcel No 103-120-005, 103-110-001 & 103-110-002

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JOSEPH A. BONFIGLI and HELEN I. BONFIGLI, husband and wife

hereby GRANT(s) to

PATRICK L. PRATHER and NANCY L. BREEN, TRUSTEES OF THE PATRICK L. PRATHER AND NANCY L. BREEN 2000 TRUST CREATED MAY 25, 2000

the following real property in the UNINCORPORATED AREA

county of Sonoma, state of California:

See Exhibit A attached hereto and made a part hereof.

Dated: January 3, 2001

JOSEPH A. BONFIGLI

HELEN I. BONFIGLI

STATE OF CALIFORNIA

COUNTY OF SONOMA

} SS:

On January 10, 2001, before me, M. TORINAY

a Notary Public in and for said County and State, personally appeared JOSEPH A. BONFIGLI AND HELEN I. BONFIGLI

Personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

WITNESS my hand and official seal

Signature

FOR NOTARY SEAL OR STAMP

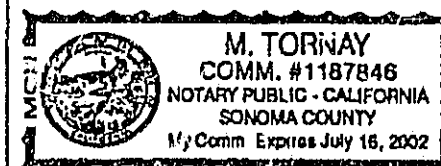


Exhibit A

PARCEL ONE:

Commencing at the Southeast corner of a fence post marked M on the West side of Main Street in the said Town, and running thence North along said Street to the extreme point of said Lot on Main and Church Streets; thence West along to the South side of Church Street to a post marked M; thence from the Southwest corner of said post, East to the point of place of beginning.

Being the same Lot sold by Hollis Herrick and Benjamin Herrick to L. S. Goodman, by Deed dated January 24, 1873 and recorded in Book 42 of Deeds, page 100, Sonoma County Records.

Excepting therefrom any portion thereof included within that certain Decree Quietening Title, Superior Court of Sonoma County, Case No. 76180, recorded March 26, 1974 in Book 2843 of Official Records, page 268, under Recorder's Serial No. N-89654, Sonoma County Records.

Together with any portion of the Southerly 1/2 of Church Street adjacent to Lots 37, 38 and 39 as shown upon the Map of Bodega Corners, filed in the Office of the County Recorder on February 11, 1865 in Book 4 of Maps, page(s) 20, Sonoma County Records, as vacated in the Resolution of the Board of Supervisors of the County of Sonoma, State of California, dated November 3, 1992 and recorded November 9, 1992 under Document No. 1992-0139874, Sonoma County Records, title to which would pass by a conveyance describing said Lot.

PARCEL TWO:

Lots 42, 43, 44, 45, 46, 47, 48, 49 and 50 as numbered and designated upon the Plat or Map of Bodega Corners as surveyed in October, 1863 by H. B. Martin, County Surveyor, filed in the Office of the County Recorder on February 11, 1865, being the same premises conveyed to A. K. Figgott by Benjamin Joy, et ux, by Deed dated December 3, 1872.

Together with any portion of the Northerly 1/2 of Church Street adjacent to Lots 42, 43, 44, 45, 46, 47, 48, 49 and 50 as shown upon the Map of Bodega Corners, filed in the Office of the County Recorder on February 11, 1865 in Book 4 of Maps, page(s) 20, Sonoma County Records, as vacated in the Resolution of the Board of Supervisors of the County of Sonoma, State of California, dated November 3, 1992 and recorded November 9, 1992 under Document No. 1992-0139874, Sonoma County Records, title to which would pass by a conveyance describing said Lot.

PARCEL THREE:

Lots 51 and 52 as numbered and designated upon the Plat or Map of Bodega Corners as surveyed in October, 1863 by H. B. Martin, County Surveyor, filed in the Office of the County Recorder on February 11, 1865, and being a portion of the same property conveyed by Deed dated October 10, 1922 between Joseph Martin, et ux, and William Smith, and recorded October 20, 1922 in Book 24 of Official Records, page 356, Sonoma County Records.

Together with any portion of the Northerly 1/2 of Church Street adjacent to Lots 51 and 52 as shown upon the Map of Bodega Corners, filed in the Office of the County Recorder on February 11, 1865 in Book 4 of Maps, page(s) 20, Sonoma County Records, as vacated in the Resolution of the Board of Supervisors of the County of Sonoma, State of California, dated November 3, 1992 and recorded November 9, 1992 under Document No. 1992-0139874, Sonoma County Records, title to which would pass by a conveyance describing said Lot.

COUNTY ASSESSOR'S PARCEL MAP

TAX CODE AREA
96-001
96-035

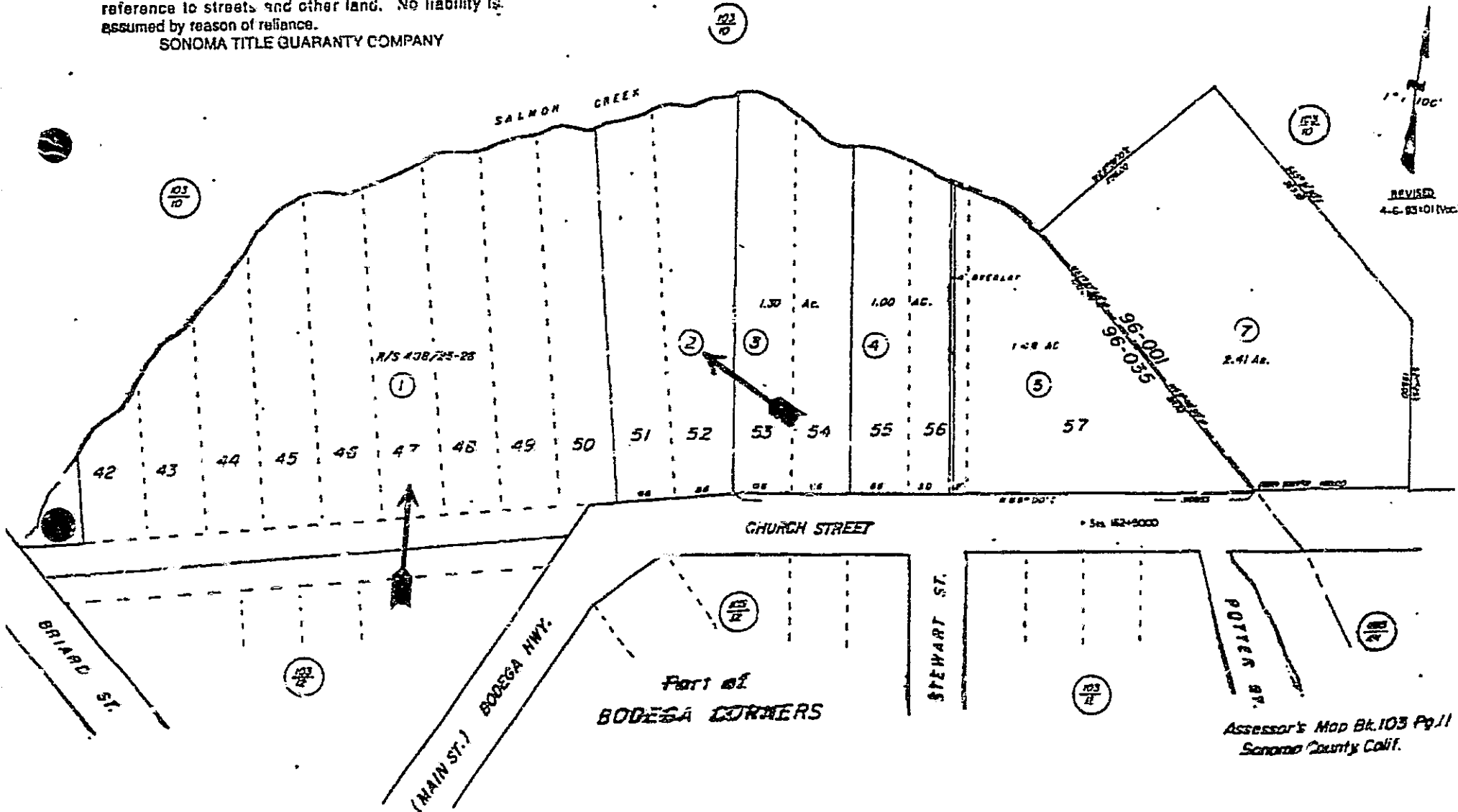
103-11

MAY 19 1993

NOTE: THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSES ONLY. NO
LIABILITY IS ASSUMED FOR THE
ACCURACY OF THE DATA BELIEVED
HEREON.

IMPORTANT: This is not a Plat of Survey. It is furnished
as a convenience to locate the land indicated hereon with
reference to streets and other land. No liability is
assumed by reason of reliance.

SONOMA TITLE GUARANTY COMPANY



Port of
BODEGA CORNERS

Assessor's Map Bk. 103 Pg. 11
Sonoma County Calif.

IMPORTANT: This is not a Plat of Survey. It is furnished as a convenience to locate the land indicated hereon with reference to streets and other land. No liability is assumed by reason of reliance.

TAX CODE AREA

96-004

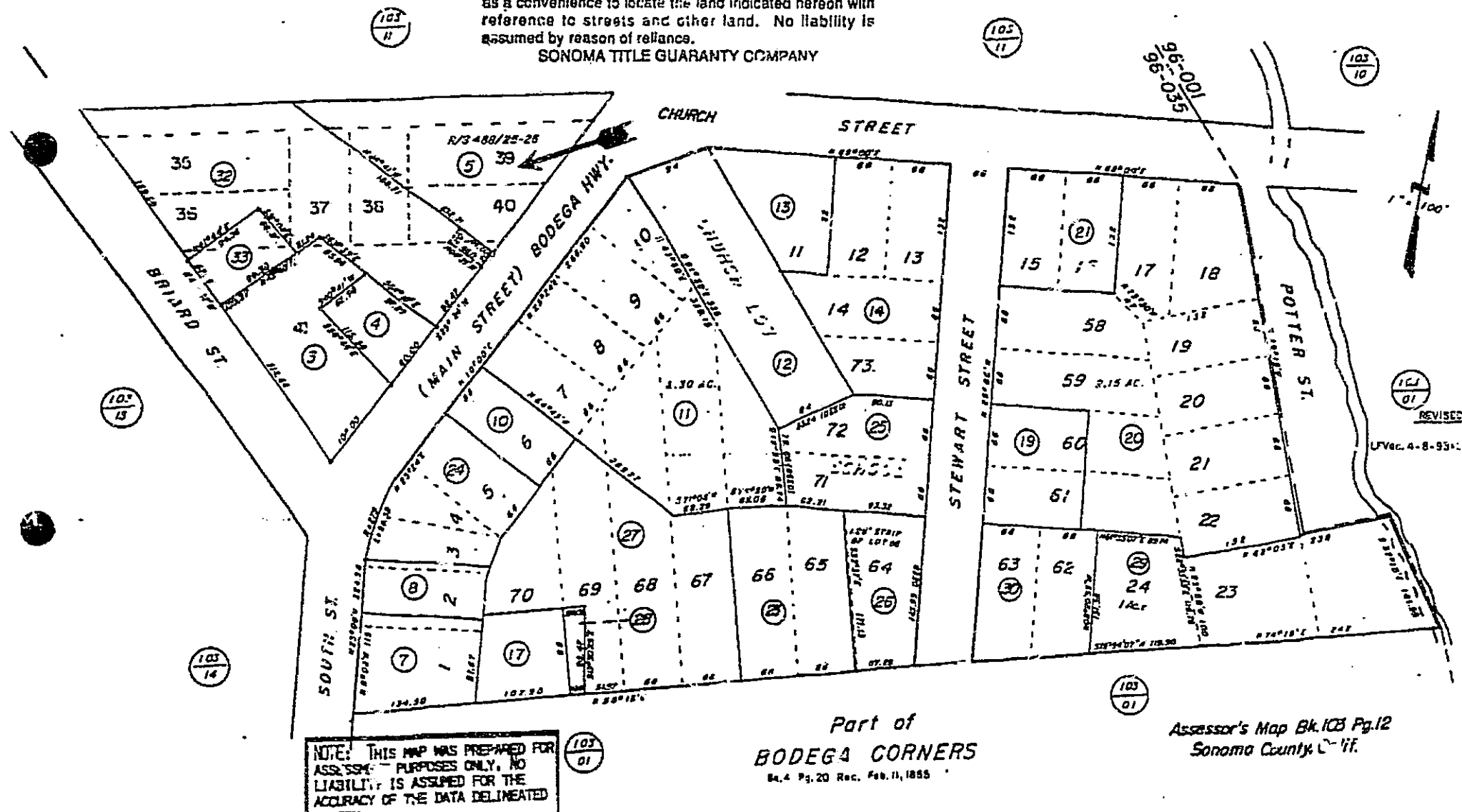
96-035

103-12

MAY 19 1993

IMPORTANT: This is not a Plat of Survey. It is furnished as a convenience to locate the land indicated hereon with reference to streets and other land. No liability is assumed by reason of reliance.

SONOMA TITLE GUARANTY COMPANY



Patrick L. Prather
PO Box 244
Bodega Bay, CA 94923

April 11, 2002

County of Sonoma
Permit and Resource Management department
2550 Ventura Avenue
Santa Rosa, CA 95403

To Whom It May Concern:

I am writing concerning the property, 17153 Bodega Highway, Bodega, CA, and the Determination of Legal Non Conforming Status.

I have lived in the area of Bodega and Bodega Bay all of my life and the property was always a business. All three buildings were various businesses including Real Estate office, Insurance office and Antique shops and retail businesses.

I rented the cow pasture and barns behind the house for my horses for twelve years before I purchased the property.

I purchased the property January 3, 2001. I put in new carpet and linoleum flooring and painted the interior and exterior of the house.

In November 2001 the house was used for an Art Exhibit. See attached invitation and flyer for the Art Exhibit.

In December 2001, I took in pottery on consignment. See attached copies of pottery order form.

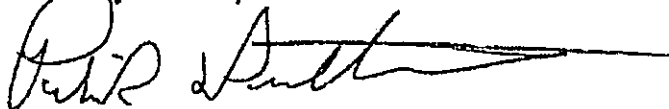
Seller's Permit no. 97-9915. See attached copy of Seller's Permit.

The property was residential and commercial when I purchased it, and during the twelve years that I rented the pasture and barns for my horses, the following businesses were operated by: Ilene Beams, Antique Shop and Furniture reconditioning; Linda Cargile, Antique's and retail shop, "The Bird's Nest"; Cheri Keel, Antique's and retail shop, "Collector's Depot". See attached copies of letters from the above business owners.

The previous owners had commercial insurance on the property and I have commercial insurance on the property. See attached copies of proof of

insurance from 1999-2000 for Joseph and Helen Bonfigli and from 2001-2003 for my insurance.

Thank you and please feel free to contact me for any further questions.



Patrick L. Prather
707-875-3859

Enclosed: Attachments:

1. Notarized affidavit from Patrick L. Prather, owner of said property
2. Notarized affidavit from Gene Walker, Realtor
3. Notarized affidavit from Richard Pellascini, Realtor
4. Notarized affidavit from Glenice Carpenter, former Postmaster and owner of Post Office, Bodega, CA
5. Letter from Linda Cargile owner of The Bird's Nest
6. Notarized affidavit from Evelyn Casini, owner of The Casino Bar and Restaurant, Bodega, CA
7. Notarized affidavit and photographs from Cheri Keel, owner of Collector's Depot
8. Letter from Martha Cant, Artisans' Co-op Treasurer, Bodega, CA
9. Notarized affidavit from Beverly Burton, Bodega Bay
10. Business Owner's Insurance Policy Declaration
11. Grant Deed of said property
12. Site Maps of said property
13. Invitation and Flyer for Art Exhibition
14. Order forms for pottery on consignment
15. Walking Tour of Bodega History
16. 1889 photograph of Bodega Town and said property, and 1975 aerial photograph of Bodega Town and said property

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of SONOMA }

ss.

On APRIL 12, 2002, before me, SHONA L. WEIR, Notary Public

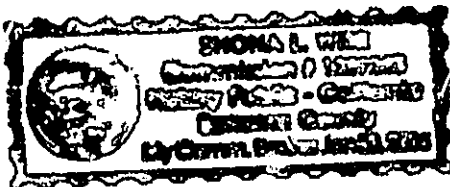
Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared PATRICK L. PRATHER

Name(s) of Signer(s)

- ☒ personally known to me
☐ proved to me on the basis of satisfactory evidence



to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may be valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: LETTER TO COUNTY OF SONOMA - PERMIT DEPT.

Document Date: 4-11-02 Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s):
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

GENE WALKER
301 BOHEMIAN HIGHWAY
FREESTONE, CALIFORNIA 95472
TELEPHONE: (707) 829-2669 *** FAX: (707) 823-1996**

March 29, 2002

TO WHOM IT MAY CONCERN:

RE: 17153 BODEGA HIGHWAY, BODEGA, CALIFORNIA 94922


I lived in the village of Bodega from 1953 until 1980 and have lived since that time in the village of Freestone.

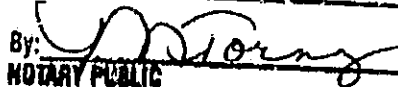
During that time to the best of my recollection the subject property has had many uses. Jim Cetta had an insurance and tax preparation there for many years. The large house has been used for antique sales since 1968/1969. Tombo Realty also had a real estate sales office for many years.

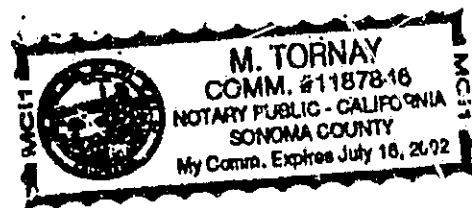
I have sold real estate in Western Sonoma County since 1964 and have occasion to observe this property almost on a daily basis since that time.

Please contact me if I can be of further help.

Yours truly,


Gene Walker

SUBSCRIBED AND SWORN TO BEFORE ME THIS
2nd DAY OF April, 2002
By: 
NOTARY PUBLIC





TOMBE REALTY

RICHARD L. PELLASCINI, REALTOR
CHRISTOPHER D. PELLASCINI, REALTOR



127 NORTH MAIN STREET • SEBASTOPOL, CALIFORNIA 95472 • (707) 823-6473 • FAX (707) 823-6551 • tombe@gte.net

February 27, 2002

To Whom it may concern:

This is to verify that Tombe realty had a branch office at 17153 Bodega Highway, Bodega, CA from 1960 to 1980.

Mr. Jim Cetta (deceased) managed the office.

I have been in the real estate business since 1960, and have an office at 127 North Main St. Sebastopol.

Thank you.

Yours truly,

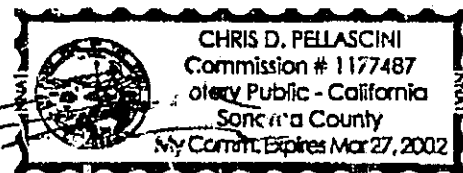
Richard Pellascini
Richard L. Pellascini
Broker

proved to me on the basis of satisfactory evidence

Subscribed and sworn to before me this

27 day of February, 2002

[Signature]
NOTARY PUBLIC IN AND FOR THE
STATE OF CALIFORNIA



RLP: edd

COMMERCIAL

RESIDENTIAL

PROPERTY MANAGEMENT

LOANS

Bodega Bay, California
February 28, 2002

County of Sonoma
Permit and Resource Dept.
Administration Dr
Santa Rosa, California

To Whom it May Concern.

I am writing in regards to a business in the town of Bodega. Patrick Prather is the owner of the "Old Murray House" located on Bodega Highway in the center of the town. This house was built for a hotel in the late 1800's.

In 1975 I came to work in Bodega as Postmaster. The Murray House was a antique business owned by Irene Beams. It has been an antique business all these many years.

Bodega town is very unique as it has a thriving "walking tourist business". On weekends and holidays there are many people who enjoy the local business, historic past and the pleasant atmosphere that comes with friendly people.

The "Old Murray House" antique business is a vital part of that atmosphere; and should remain a business as it has been one of the important businesses in a little town.

Sincerely,

Glenice Carpenter

Glenice Carpenter
P.O. Box 849
Bodega Bay, California

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

SANOMA

SS.

On

3/1/02

Date

before me,

SHONA L. WEIR, Notary Public

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared

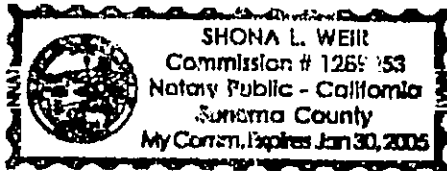
GLENICE CARPENTER

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

LETTER

Document Date:

2/28/02

Number of Pages:

1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer

Signer's Name:

☐ Individual

☐ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

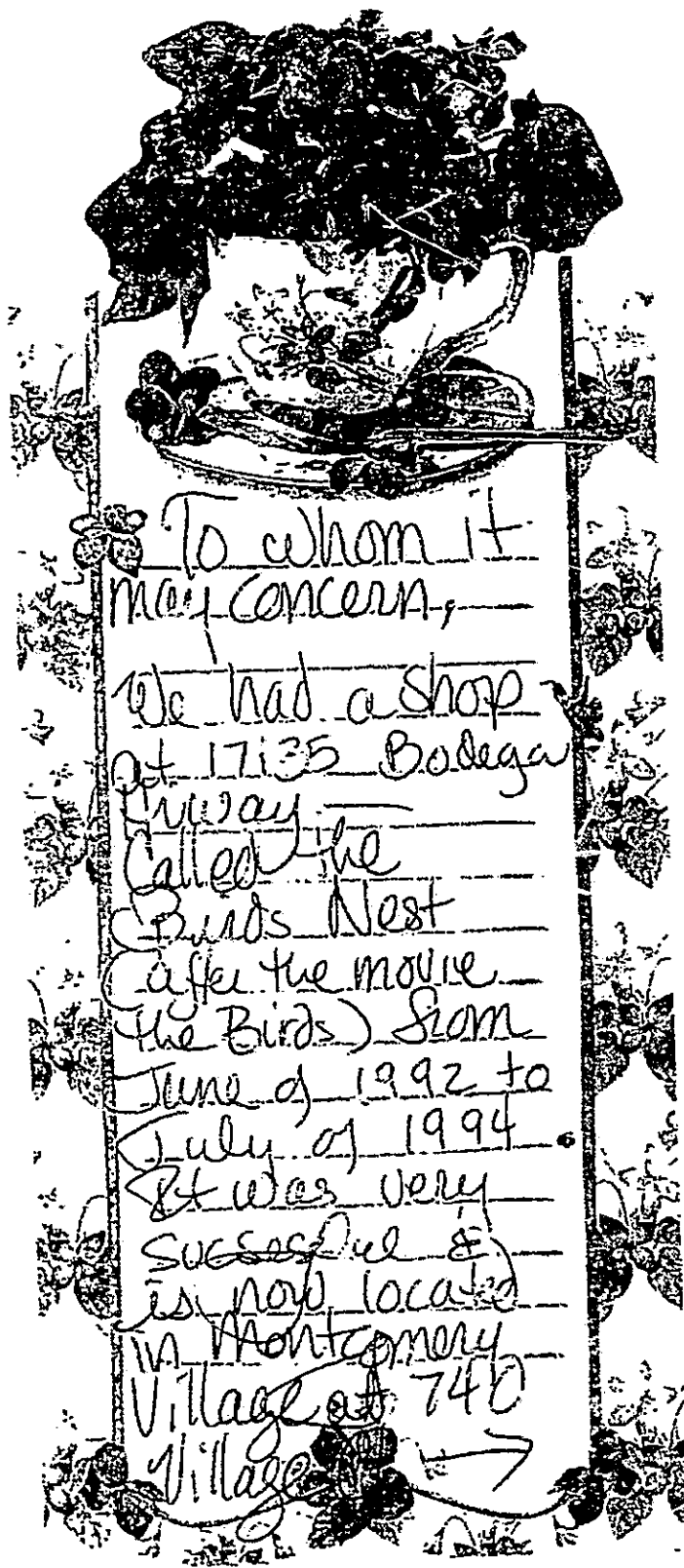
☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here



To whom it
may concern,

We had a shop
at 17135 Bodega
Boulevard

Called the
Birds Nest
Cafe (the movie
The Birds) from
June of 1992 to
July of 1994.

It was very
successful &
is now located
in Montgomery
Village at 740
Village →

In Santa Rosa
Cal. If you
have any questions
Call Linda at
707 571 8660

Thank you,
Linda Cargile

2/22/02

To Whom It May Concern:

I am 75 years old and I've lived
in Badger all my life.

The Old Murray Bldg. has always
been a commercial Bldg.

Originally a Hotel, then apartments
and an Antique Shop for years.

It is zoned a commercial
property.

Sincerely,

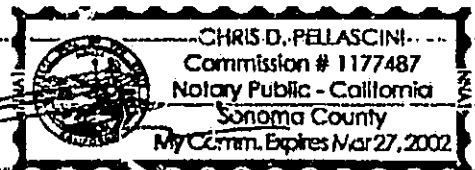
Ernest Casini

proved to me on the basis of satisfactory evidence

Subscribed and sworn to before me this

26 day of February 18 2002


NOTARY PUBLIC IN AND FOR THE
STATE OF CALIFORNIA

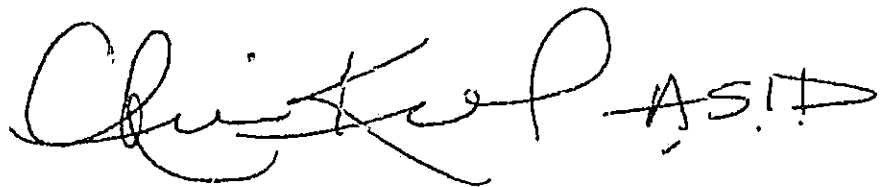


Cheri Keel A.S.I.D.
P.O. Box 391
Bodega Calif. 94922

To Whom It May Concern,

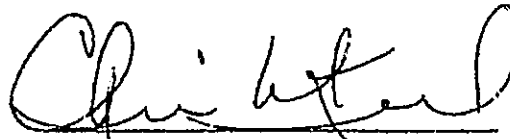
I rented the property at 17135 Bodega Hwy. between the years 1990 thru 2000. I rented the property from Helen and Joseph Bonfigli. I ran an Antique shop with my former husband in the small shop from 1990 thru 1995. I moved into the house in Dec. 1995 and lived and ran my business there until moving Dec. 2000. I would be happy to provide documentation if needed. Please feel free to contact me at the above address.

Respectfully Yours

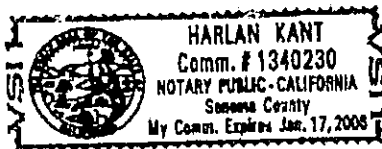
A handwritten signature in cursive script that reads "Cheri Keel A.S.I.D." with a stylized flourish at the end.

STATE OF CALIFORNIA)
) ss.
COUNTY OF SONOMA)

I, Cheri Keel, being duly sworn, state that the information contained in the above attached letter is true and correct to the best of my knowledge.


CHERI KEEL

Subscribed and sworn to before me on February 22, 2002.




Notary Public

Artisans' Co-op
P.O. Box 488
Valley Ford, CA, 94972
(707) 876-9830

28 February, 2002

To whom it may concern:

Artisans' Co-op has rented a small building at 17135-A Bodega Highway, in Bodega, CA since April, 1996, first from Mr. and Mrs. Bonfigli (Bodega Properties, Inc.), and since February, 2001, from Pat and Nancy Prather.

This building has been used for commerce almost all of its existence, for such businesses as a bar, an insurance office, a barber shop, and several antique stores.

Our business is a co-operative retail endeavor engaged in the marketing of locally made arts and crafts and fibers from 45 artisans, who share the rent and the staffing time in order to be able to afford a place to sell their wares.

Sincerely,

Martha M. Cant

Martha M. Cant, Treasurer

2 / 26 / 02

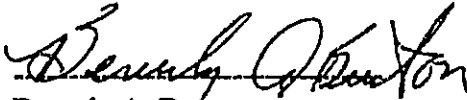
To whom it may concern,

I have lived in Bodega Bay for over thirty years and in the past have shopped for gifts in the building Mr. Pat Prather of Bodega Ca. purchased. Several small buisnesses have been open in that building for many years.

The name of one was " Collectors Depot" an antique shop, and the other was called " The Birds Nest" and it sold a variety of things. The name of the other buisnesses have escaped my mind .

I understand Mr. Prather will sell paintings and antiques. I am pleased to have a place to shop close to my home and expect to do much of my shopping there. Having another shop in Bodega is very good for the other buisnesses / community as well .

Thank you,



Beverly A. Burton

P O Box 691

1135 Bay View St.

Bodega Bay,

Calif. 94923

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

SONOMA

SS.

On 2/26/02

Date

before me, SHONA L. WEBB, Notary Public

Name and Title of Officer (e.g., Jane Doe, Notary Public)

personally appeared

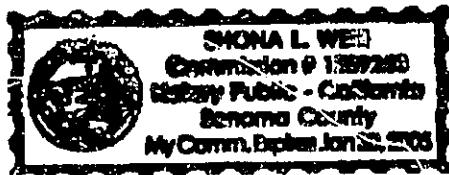
BEVERLY A. BURTON

Name(s) of Signer(s)

☒ personally known to me

☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

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Signer's Name:

☐ Individual

☐ Corporate Officer — Title(s):

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

☐ Other:

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: November 15, 2002
To: FILE # ORD 02-0006
From: Dale Hawley, Senior Code Enforcement Inspector
Subject: **STAFF REPORT-APPLICATION FOR LEGAL NON CONFORMING USE DETERMINATION**
Commercial and Residential structure with retail sales use
17153 Bodega Hwy, Bodega, CA
APN: 103-120-005
CURRENT ZONING: RC HD SR

Background:

On January 14, 2002, a complaint was received by the Department alleging an "illegal business" at the subject property. The property owner was contacted the building was inspected and found to have a retail art and antique sales business in operation in a two story structure that was also comprised of a dwelling. There is also a retail arts and crafts store in a detached building as well as a barn used for storage. The current Rural Commercial zoning of the parcel requires a Use permit for antique stores or neighborhood retail sales stores pursuant to sec. 26-37 J20. During the complaint investigation the property owner promptly advised code enforcement that the uses were historic and "grandfathered".

On April 11, 2002, the owner submitted an application for an ordinance determination of the legal non conforming status of the current use of the property.

Research and Analysis:

Documents:

1. A detailed and completed application was submitted along with a considerable amount of supporting documents and numerous letters and affidavits from neighbors and prior occupants of the property attesting to and substantiating the historical commercial use of the property.

Assessor Records:

1. Copies of assessor's records were not submitted with the application. Assessor records were reviewed by staff at the assessor's office. There were no on site appraisals done between 1963 and 2001. Assessor records the main structure in 1953 as a two story 4 bedroom dwelling, with one kitchen, one bathroom and one dining room. The first floor is 640 sq. ft. (excluding the enclosed porch on the rear of the building) and the second floor as 640 sq. ft. The current arts and crafts store is indicated as the "old store" measuring 756 sq. ft. The barn is

Page

November 15, 2002

Building Permits:

1. The subject structure is a "pre-code" two story wood framed building that was originally built in the 1800's prior to building permit requirements.
2. The artisans co-op building is also "pre-code".
3. There is a recent deck repair permit, three minor electrical permits and a grading permit on record, but no permits for construction or remodeling.

Septic Permits:

1. No record found.

Zoning History:

Current Zoning:	Ordinance #	Effective	Permitted Use	Code
RC HD SR Rural Commercial	4225	8-10-90	Antiques with u/p	26-38

Prior Zoning:

A2 Agriculture secondary	1928	8-21-75	Antiques with u/p	16.1
U Unclassified	230	12-8-45	All lawful uses	12.1

Site Inspection:

I inspected the property and structures with the owner's consent on June 12, 2002. The inspection revealed a two story structure fronting Bodega Hwy currently being used on the first floor for an art/antique store and the second floor unused. The building appears to be an old residence or a hotel or possibly a hotel / saloon. The building also had a recently remodelled kitchen and full bathroom on the first floor and bedrooms on the second floor but it was not currently being occupied as a dwelling. A building located on the south end of the parcel also fronting Bodega Hwy is occupied as an arts and crafts retail store. There is an 8X40 barn between the two main building that also fronts the Hwy.

Staff Determination:

Staff finds that the commercial use of the property and structures for art and crafts and antique sales with residential occupancy was established and continuously maintained prior to the adoption of zoning by Sonoma County and therefore constitutes a legal non conforming use that is allowed to continue pursuant to the provisions of Sonoma County Code Sections 26-94-01, 26-94-020 and 26-94-030. Based on the inspection, information submitted with the application and statements from the current owner it has been established that six hundred forty square feet of the first floor of the main structure is legal non conforming as commercial occupancy as an antique store and the remaining portion encompassing the kitchen, bathroom and dining room and second floor is residential. The Artisans Co op store is 756 sq. ft legal non conforming commercial retail sales.



COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403

(707) 527-1900 FAX (707) 527-1103

Field Operations • Code Enforcement • Permits • Environmental & Comprehensive Planning

November 15, 2002

Patrick Prather
PO BOX 24
Bodega CA 94923

Re: Legal Non Conforming Use Determination # ORD02-0006
17153 Bodega Hwy, Bodega, CA
APN: 103-120-005

Dear Mr. Prather:

On April 12, 2002, you submitted an application for a legal non conforming use determination on your property referenced above. This letter is to confirm my verbal advisement to you last June that, based upon the information submitted with the file, an inspection conducted on June 12, 2002, and a review of official property records, the existing uses as further detailed below constitute **legal non-conforming use** and may continue pursuant to the provisions of Sonoma County Code section 26-94-010, 26-94-020 and 26-94-030. Please accept my apology for the delay in providing this letter.

The following described structures and uses have been determined to constitute legal non conforming use:

1. A "pre-code" two story structure with a combined residential and commercial use.
Retail antique and art sales encompassing 640 sq. ft of the first floor.
Residential occupancy of the 640 sq. ft second floor and the first floor kitchen, bathroom, dining room and sunroom.
2. A "pre-code" single story 756 sq. ft. structure used for retail sales of local artisan arts and crafts.

Legal non-conforming uses are subject to restrictions in terms of abandonment, reconstruction, expansion or change in the intensity of the use or structure pursuant to County Code Sections 26-94-020 through 26-94-070. A copy of these applicable sections of the Sonoma County Code has been enclosed for your information. If you have any questions, please contact this office. Thank you.

Sincerely,


Dore Hawley
Senior Code Enforcement Inspector

c.. ORD 02-0006