

From: [St. Claire, Linda](#)
To: [Balcher, Wyntress](#)
Cc: [Giudice, David](#)
Subject: RE: Girard Winery Use Permit #P14-00053 APN: 020-150-017
Date: Tuesday, June 23, 2015 8:36:04 AM
Attachments: [NOTICE OF VIOLATION.pdf](#)

Wyntress,

Yes, there is an active code case regarding activities at Clos Pegase winery. The code complaint indicated that weddings were held at the winery and were not allowed. Attached is the Notice of Violation. The owner has agreed to no longer hold any weddings at the winery. The code case is still active and until the investigation is complete, I will not release any additional information.

Linda

Linda St. Claire
Code Enforcement Officer - Planner III
Planning, Building & Environmental Services
1195 Third Street, Second Floor
Napa, CA 94559
www.countyofnapa.org
(707) 299-1348
Fax: (707) 299-4270

From: Balcher, Wyntress
Sent: Monday, June 22, 2015 4:19 PM
To: St. Claire, Linda
Subject: Girard Winery Use Permit #P14-00053 APN: 020-150-017

Linda,

I am in process of preparing the staff report for the proposed Girard Winery. I have been told that there has been an enforcement action at the Clos Pegase Winery related to weddings. Norma Tofanelli, a neighbor and her attorney publicly stated at the hearing that they believe the applicant will use Girard Winery for tourist serving uses and other activities that are prohibited by the WDO.

Therefore, I need to know the current status of the enforcement activity at this time, to address Ms. Tofanelli's attorney's January 20, 2015 letter to the Commission regarding this matter.

Thank you for your assistance.

Wyntress Balcher, Planner
Planning, Building, Environmental Services
1195 Third Street Suite 210
Napa, CA 94559
D. 707. 299.1351
F. 707. 299.4094

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A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

NOTICE OF VIOLATION

January 22, 2015

Vintage Wine Estates
Attn: Pat Roney
205 Concourse Blvd
Santa Rosa, CA 95403

VIA CERTIFIED AND REGULAR U.S. MAIL

Location: Clos Pegase Winery, 1060 Dunaweal Lane, Napa County, California, APN: 020-150-012

Dear Pat,

The County of Napa has received information that a violation exists on the property described above in violation to Napa County Code. Official records indicate that you own, have a lien or encumbrance on, or have a possessory interest in the property listed above. The following violations may exist:

- Section 18.64.020. (Uses in Agricultural Preserve (AP) zoning) It appears that wedding events are currently conducted at this parcel. AP zoning does not allow for commercial activities.
- ACTION REQUIRED: Discontinue activity
- Section 18.144.040. (Nuisance) Any use of property contrary to the provisions of Title 18 of the County Code shall be declared to be unlawful and a public nuisance.

Please respond within seven days of the date of this letter (by January 30, 2015) to inform this office of your plans to address this County Code violation. Your cooperation is requested, however, failure to promptly comply, by first responding, this matter may be referred to the District Attorney or County Counsel for appropriate legal action.

I understand, from your attorney's testimony at the Napa County Planning Commission hearing January 21, 2015 that the winery has records of weddings occurring at the winery since the 1980s. Please provide this documentation so that we may determine if the documents meet

the language in Napa County Code Section 18.132 (Legal Nonconformities), which could potentially allow the activity.

If you have any questions regarding this Notice, please feel free to contact Linda St. Claire, Code Enforcement Officer, at (707) 299-1348 during normal business hours.

Thank you for your attention in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Linda St. Claire".

*Linda St. Claire
Code Enforcement Officer
Conservation, Development & Planning Department*

cc: file, chron