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Previous Project Conditions



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING

Director

June 15, 1998

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
TELEPHONE 707/253-4416 FAX 707/253-4336

Assessor's Parcel # 20-300-035

Les Behrens
Lisa Drinkward
1526 Spring Street
St. Helena, CA 94574

Dear Mr. Behrens and Ms. Drinkward:

Please be advised that **Use Permit Application Number 97433-up** has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: June 3, 1998


EXPIRATION DATE: June 14, 1999

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date **and** provided that any modification of the permit has become final. A request for an extension of time is subject to the required filing fee in effect at the time the request for extension is made.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Very truly yours,


JEFFREY REDDING
Director

cc: John Tuteur, County Assessor
Gary Brewen, Building Codes Administrator
Roy M. Stouffer, Property Owner

CONDITIONS OF APPROVAL
Use Permit # 97433-UP (Les Behrens/Lisa Drinkward Winery)

1. The permit is limited to:
 - a. The establishment of a 10,000 gallon/year winery with zero (0) employees, no retail sales and closed to the public. Tours and tasting limited to wine trade only by prior appointment and no on-site marketing activities.
 - b. The construction of a 2,000 ft² structure for barrel storage and bottling, and the construction of 2800 ft² open work area. as delineated on the attached site plan, and consistent with the application forms and supplemental winery information sheet.

Any expansion or changes in use shall be by separate Use Permit submitted for Commission or Zoning Administrator consideration.

2. Plans for any outdoor signs shall be submitted to the Department for review and approval with regard to design, area, height, and placement.
3. The applicant/developer shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:

The Department of Environmental Management as stated in their letter of April 21, 1998.

The Department of Public Works as stated in their letter of April 7, 1998.

The County Fire Department as stated in their memo of April 1, 1998.

The Building Division as state in their memo of March 16, 1998.

4. The applicant shall report to the Department on an annual basis the source of his grapes, verifying that 75% of the annual production is from Napa County grapes. The report shall include the grape tonnage and the Assessor's Parcel Number(s) where grown. Such report shall be proprietary and not available to the public.
5. For the public record, the applicant shall annually submit to the Department a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.
6. The production capacity of the winery shall not exceed 10,000 gallons/year as averaged over any consecutive three (3) year period. In any given year production shall not exceed 12,000 gallons. The applicant shall report to the Planning Department in December of each year the number of gallons produced during the year.
7. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.
8. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



A Tradition of Stewardship
A Commitment to Service

November 5, 2014

NOTICE AND ORDER

Behrens Les & Drinkward Lisa
4078 Spring Mountain Rd
Saint Helena Ca 94574-9773

Location:	4078 Spring Mountain Rd	APN: 020-300-035
Subject:	Violation – Construction, use permit violation.	

Dear Property Owner:

It is the customer service policy of the Napa County Planning, Building & Environmental Services Department, Code Enforcement Division (“Department”) to be responsive to citizen concerns regarding violations of land use and/or building safety regulations. With this in mind, we intend to familiarize you with said regulations and assist you in the resolution of any unsafe, substandard or unauthorized conditions at the above referenced property. The following table identifies violations which are occurring on your property along with action required to abate the violations.

Description	Violation	Action Required
1. The following items were constructed without building permits: <ul style="list-style-type: none"> a. Barrel and fermenting tank storage building. b. Winery addition, bottle storage building c. Three metal shade structures with electrical lighting. d. Garden walls with electrical. e. Detached bathrooms. f. Chicken Coop. g. Outdoor Kitchen. 	Chapter 1, §R105.1 of the 2013 California Residential Code	Apply for and obtain the necessary building permits through this office or remove the structures.

Description	Violation	Action Required
2. Storage of winery related items (barrels, tanks, case goods) in unapproved structures.	Section 111.1(A) of the 2013 California Building Code	Remove all items until said structures have been approved and a Certificate of Occupancy has been issued.
<p>3. The following activities are/have occurred in violation to the winery use permit:</p> <ul style="list-style-type: none"> a. Visitation and marketing to the public over the allowed limits. b. Construction has resulted in expansion of the winery development area. c. UP 97433-UP Condition of Approval 4&5 require the owner to report grape sourcing and submission of a statement annually. No reports have been received. d. UP 97433-UP Condition of Approval 6 requires the owner to report the production of wine annually by providing copies of the Federal TTB forms. None have been received. 	18.144.040 – Nuisance	<p>Immediately cease all visitation not approved in Use Permit 97433-UP.</p> <p>Restore the winery to operate within the bounds of the approved use permit or apply for a modification of the use permit. Upon approval of said modification, activities may occur as directed in the adopted Condition of Approval and issuance of Certificate of Occupancy.</p> <p>Submit the last five years of California Grape Crush & Purchase Inquiry Worksheet .</p> <p>Submit a Statement of compliance for the grape sourcing (only if you are in compliance)</p> <p>Submit the last five years of production records in the form of copies of the filed TTB forms.</p>

Please be advised that the building improvements above will require a use permit modification before the issuance of any building permits. If the use permit is not approved, you will be required to remove all unapproved structures.

Please contact us within **seven (7) days** of the date of this Notice and Order to discuss your options for the resolution of these matters. In addition, application for permits for the above referenced violation(s) must occur within **30 days** from the date of this Notice and Order. If you are not familiar with the application submittal requirements for your project please contact us at (707) 299-1343 (Greg) or (707) 299.1348 (Linda). Prior to submittal of your application please call to set an appointment with us for review of your application. If you wish to visit our office to discuss any of the above violations you will need to make an appointment with us prior to your arrival. Failure to do so may result in staff's inability

to serve you. Additionally, please stop any further construction until a permit has been authorized/issued by the County of Napa.

It is the intention of this Department to provide all available means for your voluntary compliance, however, failure to respond as directed could result in further enforcement action by this Department. If you have any questions, or do not fully understand any part of these proceedings, please feel free to contact us at either number listed above.

Sincerely,

Greg Baxter,
Code Enforcement Officer

Sincerely,



Linda St. Claire
Code Enforcement Officer/Planner III

cc: Darrell Mayes, Chief Building Official; Charlene Gallina, Supervising Planner; Diane Dillon, Supervisor District 3; File; Chron