June 16, 2020

CASE#: V_2020-0001
DATE FILED: 4/14/2020
OWNER/APPLICANT: KURT & NANCY HASENPUSCH
REQUEST: Variance to reduce setback requirement from fifty (50) ft. to ten (10) ft. to allow for the placement of four (4) cargo container and install roof mount solar atop the containers along the north side yard.
LOCATION: 6.5± miles south of the City of Fort Bragg, 2.7± miles east of the intersection of Caspar Little Lake Road (CR 409) and State Route 1 (SR 1), the parcel is 525± feet south of Caspar Little Lake Rd. at end of a private dirt road, located at 42263 Caspar Little Lake Rd., Mendocino (APN: 119-510-40).
ENVIRONMENTAL DETERMINATION: Categorically Exempt
SUPERVISORIAL DISTRICT: 4
STAFF PLANNER: JESSIE WALDMAN
RESPONSE DUE DATE: June 30, 2020

PROJECT INFORMATION CAN BE FOUND AT:
https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above application and recommend the following (please check one):

☐ No comment at this time.
☐ Recommend conditional approval (attached).
☐ Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)
☐ Recommend denial (Attach reasons for recommending denial).
☐ Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).
☐ Other comments (attach as necessary).

____________________________  ______________________  _________________
REVIEWED BY:

Signature Department Date
CASE: V_2020-0001

OWNER/APPLICANT/AGENT: KURT & NANCY HASENPUSCH

REQUEST: Variance to reduce setback requirement from fifty (50) ft. to ten (10) ft. to allow for the placement of four (4) cargo container and install roof mount solar atop the containers along the north side yard.

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APN/S: 118-510-40

PARCEL SIZE: 5± Acres

GENERAL PLAN: Rural Residential, minimum parcel size ten acres, (RR10)

ZONING: Rural Residential, minimum parcel size ten acres, (RR10)

EXISTING USES: Residential

DISTRICT: 4th Supervisorial District (Gjerde)

RELATED CASES: BF_2020-0118 through BF_2020-0121 – Four (4) Cargo Containers

ADJACENT GENERAL PLAN

<table>
<thead>
<tr>
<th>NORTH:</th>
<th>EAST:</th>
<th>SOUTH:</th>
<th>WEST:</th>
</tr>
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<tbody>
<tr>
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ADJACENT ZONING

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<td>Rural Residential RR10</td>
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ADJACENT LOT SIZES

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<th>WEST:</th>
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<tbody>
<tr>
<td>4.2± Acres</td>
<td>5.2± Acres</td>
<td>5.2± Acres</td>
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ADJACENT USES

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<th>EAST:</th>
<th>SOUTH:</th>
<th>WEST:</th>
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<tbody>
<tr>
<td>Residential</td>
<td>Residential</td>
<td>Residential</td>
<td>Vacant/Residential</td>
</tr>
</tbody>
</table>

REFERRAL AGENCIES

LOCAL
- Assessor’s Office
- Building Division (FB)
- Department of Transportation (DOT)
- Environmental Health (EH) (FB)
- Mendocino Fire Protection District
- Planning Division (UKIAH)
- CALFIRE (Land Use)

TRIBAL
- Cloverdale Rancheria
- Redwood Valley Rancheria
- Sherwood Valley Band of Pomo Indians

ADDITIONAL INFORMATION:

Historical APN’s - 118-510-09 and 118-510-10
Parcel has two (2) addresses – 42263 and 42237 Caspar Little Lake Road
C-19-81 – Clean Slate SFR
B_102-86 – 4 parcel Boundary Line Adjustment
SR-4-92 – Second Residential Unit
Record of Survey – C2 D67 P96

STAFF PLANNER: JESSIE WALDMAN

DATE: 6/15/2020
**ENVIRONMENTAL DATA**

1. **MAC:**
   - GIS
   - NO

2. **FIRE HAZARD SEVERITY ZONE:**
   - CalFire FRAP maps/GIS
   - HIGH FIRE HAZARD

3. **FIRE RESPONSIBILITY AREA:**
   - CalFire (State Responsible Agency) - #33-20
   - Mendocino Fire Protection District (Local Responsible Agency)

4. **FARMLAND CLASSIFICATION:**
   - Grazing Land (G) & Rural Residential & Rural Commercial (R)
   - GIS

5. **FLOOD ZONE CLASSIFICATION:**
   - FEMA Flood Insurance Rate Maps (FIRM)
   - NO

6. **COASTAL GROUNDWATER RESOURCE AREA:**
   - Coastal Groundwater Study/GIS
   - N/A

7. **SOIL CLASSIFICATION:**
   - Mendocino County Soils Study Eastern/Western Part
   - 108—Blacklock and Aborigine soils

8. **PYGMY VEGETATION OR PYGMY CAPABLE SOIL:**
   - 108—Blacklock and Aborigine soils

9. **WILLIAMSON ACT CONTRACT:**
   - Mendocino County Assessor's Office
   - NO

10. **WATER EFFICIENT LANDSCAPE REQUIRED:**
    - Policy RM-7; General Plan 4-34
    - NO

11. **WILD AND SCENIC RIVER:**
    - www.rivers.gov
    - NO

12. **STATE FOREST/PARK/RECREATION AREA ADJACENT:**
    - GIS; General Plan 3-10
    - NO

13. **AIRPORT LAND USE PLANNING AREA:**
    - Airport Land Use Plan; GIS
    - NO

14. **SUPERFUND/BROWNFIELD/HAZMAT SITE:**
    - GIS; General Plan 3-11
    - NO

15. **NATURAL DIVERSITY DATABASE:**
    - CA Dept. of Fish & Wildlife Rarefind Database/GIS
    - YES

16. **STATE CLEARINGHOUSE REQUIRED:**
    - Policy RM-C; General Plan 6-22
    - NO

17. **HARBOR DISTRICT:**
    - Sec. 20.512
    - NO

18. **HIGHLY SCENIC AREA:**
    - Highly Scenic & Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020
    - NO

19. **BIOLOGICAL RESOURCES & NATURAL AREAS:**
    - Biological Resources & Natural Area Map; GIS; General Plan 4-9
    - NO

20. **BLUFFTOP GEOLOGY:**
    - GIS; 20.500.020
    - NO

21. **LCP LAND USE CLASSIFICATION:**
    - LCP Land Use maps/GIS
    - n/a

22. **LCP LAND CAPABILITIES & NATURAL HAZARDS:**
    - LCP Capabilities maps/GIS; 20.516
    - n/a

23. **LCP HABITATS & RESOURCES:**
    - LCP Habitat maps/GIS; 20.586
    - n/a

24. **COASTAL COMMISSION APPEALABLE AREA:**
    - Coastal Commission Permit and/or Appeal Jurisdiction map/GIS; 20.594
    - n/a

**FOR PROJECTS WITHIN THE COASTAL ZONE ONLY**

25. **LCP LAND USE CLASSIFICATION:**
    - LCP Land Use maps/GIS
    - n/a

26. **LCP LAND CAPABILITIES & NATURAL HAZARDS:**
    - LCP Capabilities maps/GIS; 20.516
    - n/a

27. **LCP HABITATS & RESOURCES:**
    - LCP Habitat maps/GIS; 20.586
    - n/a

28. **CDP EXCLUSION ZONE:**
    - CDP Exclusion Zone maps/GIS
    - n/a

29. **HIGHLY SCENIC AREA:**
    - Highly Scenic & Tree Removal Area Maps/GIS; Secs. 20.504.015, 20.504.020
    - n/a

30. **BIOLOGICAL RESOURCES & NATURAL AREAS:**
    - Biological Resources & Natural Area Map; GIS; General Plan 4-9
    - NO
APPLICATION FORM

APPLICANT
Name: KURT O HASENPFLUG
Mailing Address: 42263 CASPAR LITTLE LAKE RD, 962-4850
City: MENDOCINO State: CALIF Zip Code: 95460 Phone: 707-962-4850

PROPERTY OWNER
Name: KURT O HASENPFLUG
Mailing Address: 42263 CASPAR LITTLE LAKE RD, 962-4850
City: MENDOCINO State: CALIF Zip Code: 95460 Phone: 707-962-4850

AGENT
Name:
Mailing Address:
City:
State:
Zip Code:
Phone:

PARCEL SIZE
5.033 X Acres

STREET ADDRESS OF PROJECT
42263 CASPAR LITTLE LAKE RD

ASSESSOR'S PARCEL NUMBER(S)
APN 118-510-4660

TYPE OF APPLICATION
(Check Appropriate Boxes)
- Rezoning
- Use Permit
- Land Division: Minor
- Variance
- Land Division: Major
- General Plan Amendment
- Land Division: Parcel
- Agricultural Preserve
- Land Division: Resubdivision
- Reversion to Acreage
- Exception
- Certificate of Compliance
- Modification of Conditions
- Other:

I certify that the information submitted with this application is true and accurate.

Signature of Applicant/Agent: ___________________________ Date: ____________

Signature of Owner: ___________________________ Date: ____________
SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project, please indicate "Not applicable" or "N/A".

THE PROJECT

1. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.

   INSTALLING 4 20FT CONTAINERS FOR STORAGE AND FUTURE SOLAR AREA ON TOP OF CONTAINERS. NO NEW ROADS (CUT EXISTING ROAD ON PROPERTY) NO VEGETATION REMOVAL REQUIRED. THIS IS THE ONLY PLACE ON THE ACREAGE THAT IS CLEAR ENOUGH AND HAS A STRAIGHT SALT AT THE SUN WITHOUT REMOVING A MAJOR AMOUNT OF TREES.
<table>
<thead>
<tr>
<th>Structures/Lot Coverage</th>
<th>Number of Units</th>
<th></th>
<th>Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing</td>
<td>Proposed</td>
<td>Existing</td>
</tr>
<tr>
<td>Single Family</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Mobile Home</td>
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<td></td>
</tr>
<tr>
<td>Duplex</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multifamily</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other: 420 CONTAINERS</td>
<td></td>
<td>4 CONTAINERS</td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
<td></td>
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<td>Other:</td>
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<tr>
<td>Other:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Total Structures        | 4 CONTAINERS   | 6,40     |               |
| Paved Area              | NA             |           |               |
| Landscaped Area         | NA             |           |               |
| Unimproved Area         | NA             |           |               |

**GRAND TOTAL** (Equal to gross area of Parcel)

3. If the project is commercial, industrial or institutional, complete the following:

- Estimated employees per shift: NA
- Estimated shifts per day: NA
- Type of loading facilities proposed: NA

4. Will the proposed project be phased? ☐ Yes ☐ No If yes, explain your plans for phasing:

**Phase One** will be to set 4 20' containers. **Phase 2** will be to apply for permits to install solar panels on top of containers.
5. Will vegetation be removed on areas other than the building sites and roads?  □ Yes  □ No
   Explain:

6. Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flammables, or explosives?  □ Yes  □ No  If yes, explain:

7. How much off-street parking will be provided?

   Number of covered spaces  □ N/A
   Number of uncovered spaces  □ N/A
   Number of standard spaces  □ N/A
   Number of handicapped spaces  □ N/A

   Existing Number of Spaces  □ N/A
   Proposed Additional Spaces  □ N/A
   Total  □ N/A

8. Is any road construction or grading planned?  □ Yes  □ No  If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).


9. For grading or road construction, complete the following:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>cubic yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Amount of cut</td>
<td>(\checkmark)A</td>
</tr>
<tr>
<td>B.</td>
<td>Amount of fill</td>
<td>(\checkmark)A</td>
</tr>
<tr>
<td>C.</td>
<td>Maximum height of fill slope</td>
<td>(\checkmark)A</td>
</tr>
<tr>
<td>D.</td>
<td>Maximum height of cut slope</td>
<td>(\checkmark)A</td>
</tr>
<tr>
<td>E.</td>
<td>Amount of import or export</td>
<td>(\checkmark)A</td>
</tr>
<tr>
<td>F.</td>
<td>Location of borrow or disposal site</td>
<td>(\checkmark)A</td>
</tr>
</tbody>
</table>

10. Does the project involve sand removal, mining or gravel extraction? □ Yes \(\checkmark\) No

If yes, detailed extraction, reclamation and monitoring plans may be required.

11. Will the proposed development convert land currently or previously used for agriculture to another use? □ Yes \(\checkmark\) No

If yes, how many acres will be converted? ________ acres. An agricultural economic feasibility study may be required.

12. Will the development provide public or private recreational opportunities? □ Yes \(\checkmark\) No

If yes, explain below:

________________________________________________________________________________________

________________________________________________________________________________________

13. Is the proposed development visible from State Highway 1 or other scenic route? □ Yes \(\checkmark\) No

14. Is the proposed development visible from a park, beach or other recreational area? □ Yes \(\checkmark\) No

15. Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?

Diking: □ Yes \(\checkmark\) No

Filling: □ Yes \(\checkmark\) No

Dredging: □ Yes \(\checkmark\) No

Placement of structures in:

□ open coastal waters
□ wetlands
□ estuaries
□ lakes

If so, amount of material to be dredged or filled? \(\checkmark\)A cubic yards.

Location of dredged material disposal site? \(\checkmark\)A

Has a U.S. Army Corps of Engineers permit been applied for? □ Yes \(\checkmark\) No

16. Will there be any exterior lighting? □ Yes \(\checkmark\) No

If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans.

________________________________________________________________________________________

________________________________________________________________________________________
17. Utilities will be supplied to the site as follows:
   A. Electricity:
      - [X] Utility Company (service exists to the parcel)
      - [ ] Utility Company (requires extension of service to site: ___ feet ___ miles)
      - [ ] On Site Generation - Specify: ____________________________
   B. Gas:
      - [X] Utility Company/Tank
      - [ ] On Site Generation - Specify: ____________________________
      - [ ] None
   C. Telephone: [X] Yes  [ ] No

18. What will be the method of sewage disposal?
    - [ ] Community sewage system - Specify supplier
    - [X] Septic Tank
    - [ ] Other - Specify: ALREADY EXISTING

19. What will be the domestic water source:
    - [ ] Community water system - Specify supplier
    - [X] Well
    - [ ] Spring
    - [ ] Other - Specify: WELL ALREADY EXISTING

20. Are there any associated projects and/or adjacent properties under your ownership?
    - [ ] Yes  [X] No
      If yes, explain (e.g., Assessor's Parcel Number, address, etc.):
      __________________________________________
      __________________________________________
      __________________________________________

21. List and describe any other related permits and other public approval required for this project, including those required by other County departments, city, regional, state and federal agencies:
    - CAL FIRE CORE 1976-01 SET BACK
    - APH110 FOR 10 FT
    - MENO COUNTY PERMIT BF2020-0116 TO
    - BF 2020-0121
### THE SITE

22. Describe the location of the site in terms of readily identifiable landmarks (e.g., mailboxes, mile posts, street intersections, etc.):

   FROM FORT BRAGG LEFT ON CASPAR LITTLE LAKE RD
   ALSO RD 469 PROCEEDED 2.7 MILES EAST,
   TENTH MILES PAST DRAKE CREEK RD
   ADDRESS SIGN ON RIGHT TURN RIGHT
   APPROX 600 FT TURN RIGHT YOU ARE ON THE
   PROPERTY ADDRESS NUMBERS AT EVERY TURN

23. Are there existing structures on the property? □ Yes   □ No

   If yes, describe below, and identify the use of each structure on the plot plan or tentative map if the proposal is for a subdivision.

   2 HOMES, 2 SEPTIC SYSTEMS.
   1 WELL NEITHER HAS ANYTHING
   TO DO WITH APPLICANT

24. Will any existing structures be demolished? □ Yes   □ No

   Will any existing structures be removed? □ Yes   □ No

   If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

25. Project Height. Maximum height of existing structures N/A feet. Maximum height of proposed structures 6' 6" feet.

26. Gross floor area of existing structures N/A square feet (including covered parking and accessory buildings). Gross floor area of proposed structures 440 square feet (including covered parking and accessory buildings).

27. Lot area (within property lines): 5.0 acres
28. Briefly describe the project site as it exists before the project, including information on existing structures and their uses, slopes, soil stability, plants and animals, and any cultural, historical or scenic aspects. Attach any photographs of the site that you feel would be helpful.

SQUARES HEAVELY WOODED. EXCEPT FOR THE AREA PROPOSED FOR THE CONTAINER LOADED IN THE BIG MY FOREST.

ALL PLANTS ARE NATIVE EXCEPT FOR WHICH MY WIFE PLANTED NO CULTURAL, HISTORICAL OR SCENIC ASPECTS. TO ANYONE EXCEPT ME & MY WIFE

29. Briefly describe the surrounding properties, including information on plants, animals and any cultural, historic or scenic aspects. Indicate the type of land use (use chart below) and its general intensity. Attach any photographs of the vicinity that you feel would be helpful.

PLANTS ARE MOSTLY NATIVE AREA IS FAIRELY HEAVELY WOODED WITH CURPOES & PINE RANGING FROM 1 FT TO APPROX 80 FT LAND USE IS RESIDENTIAL

30. Indicate the surrounding land uses:

<table>
<thead>
<tr>
<th></th>
<th>North</th>
<th>East</th>
<th>South</th>
<th>West</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
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</tr>
<tr>
<td>Timberland</td>
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<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
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</tbody>
</table>
FINDINGS FOR VARIANCES OUTSIDE THE COASTAL ZONE
MENDOCINO COUNTY CODE SECTION 20.200.020(A) THROUGH (E)

Please provide information to substantiate the required findings. All of the five findings must be substantiated by adequate and accurate information. Attach additional information if necessary.

(A) That there are special circumstances applicable to the property involved, including size, shape, topography, location, or surrounding;

THE PROPERTY IS VERY HEAVILY WOODED
AND IS THE ONLY AREA THAT THE CONTAINER
WILL FIT WITH ACCESS TO THE SUN FOR FILLS.
SOLAR SYSTEM WITHOUT CLEARING 50% OF THE
LARGE TREES ON THE PROPERTY

(B) That such special circumstances or conditions are not due to any action of the applicant subsequent to the application of the zoning regulations contained in the Division;

THE PROPERTY IS BASICLY THE
SAME AS PURCHASED IN 2015

(C) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone and denied to the property in question;

FIRST Part OF QUESTION: ME & MY WIFE WISH
TO ENJOY OUR PROPERTY AS IS, WITHOUT THE
REMOVAL OF TREES (EXCEPT WIND FALLS.) MY
NEIGHBOR NEXT TO THE PROJECT HAS WISHED ME WEL

(D) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located;

IN NO WAY WILL THIS BE
DETERRIMENTAL TO ANY PROPERTY OR NEIGHBORS
OR ANYBODY ELSE FOR ANY REASON

(E) That the granting of such variance will not adversely affect the General Plan.

IN NO WAY BY DOING WHAT I PLAN TO DO WILL THE FOOT PRINT BE APPROX
800 SQ FT ON 5 ACRES.
Kurt Hasen Pusch
42263 Caspar Little Lake Rd
Mendocino, CA 95460

RE: 42263 Caspar Little Lake Rd
CALFIRE#: 33-20

Mr. Pusch,

I have reviewed your request for an exception to your project at 42263 Caspar Little Lake Rd. The Department of Forestry and Fire Protection has granted your request for an exception to:

14 CCR 1276.01 Setback for Structure Defensible Space
(a) All parcels 1 acre and larger shall provide a minimum 30-foot setback for buildings and accessory buildings from all property lines and/or the center of the road.

Due to the extenuating circumstances, parcel size, and facts as to why the structure needs to be closer than 30 feet from the property line, but will maintain this offices policy of setbacks no less than 10 feet, CAL FIRE will NOT be requiring any mitigations for the exception.

14 CCR 1270.07 Exceptions to Standards
Upon request by the applicant, exceptions to standards within this subchapter or local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR 1270.05, where the exceptions provide the same overall practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity shall be made on a case-by-case basis only.

If you have any questions, please contact (707) 459-7424.

Sincerely,

Scott Kirby
Defensible Space Inspector

"The Department of Forestry and Fire Protection serves and safeguards the people and protects the property and resources of California."
MENDOCINO CYPRESS

Mendocino Cypress
Listing Type
- Closed-Cone Pine-Cypress
- Urban

CASE: V 2020-0001
OWNER: HASENPUSCH, Kurt & Nancy
APN: 118-510-40
APLCT: Kurt & Nancy Hasenpusch
AGENT:
ADDRESS: 42263 Caspar Little Lake Road, Mendocino

MENDOCINO COUNTY PLANNING DEPARTMENT - 4/15/2020