ATTACHMENT 3

October 31, 2016

City of Calistoga
Planning Commission

We are requesting that the City of Calistoga re-instate the Bed and Breakfast permit for the property located at 1503 Lake Street, belonging to Rosemary and George Faulds, as well as re-instating the previous "legal, nonconforming" use of the two rental cottages on the property based on the following:

1) The Bed and Breakfast permit for the Faulds property was relinquished only for the purpose of obtaining a "reverse mortgage" on their property. The lender would not allow any type of commercial use when obtaining a "reverse mortgage". It was understood by the City of Calistoga and the Fiduciary for the Faulds, at that time, that once the mortgage was obtained and within the required 180 day period, the Faulds (with the much needed guidance of the Fiduciary) would re-instate the permit. It should be noted here that the Faulds not only had at this time a "Fiduciary" to take care of their finances, but a caregiver to take care of them.

2) It has not been established whether the parties involved, i.e. the Faulds and the Fiduiciary clearly understood that the change in the permit status would set into place the requirement that the property's use would revert to the current zoning regulations, meaning that the use of the second (previously Grandfathered in) rental unit would cease and would have to be converted into a storage unit. This requirement greatly affects the current value of the property.

3) The Faulds are elderly, and in failing health. The cost of care has been devastating to them and unfortunately the Fiduciary was removed from the job due to mishandling of the situation. This has left the Faulds in a very bad financial situation.

We clearly understand that City Staff cannot make the call to remedy this issue. They can only adhere to the regulations. Therefore, we are requesting that the Planning Commission act to re-instate the previous use for this property. Ideally, since only re-establishing the Bed and Breakfast Permit, still leaves the Faulds financially compromised, we ask that, in addition, the property be allowed to revert back to its previous "legal, non-conforming" rental status.

Sincerely,

James J. Flamson, TTEE

James Flamson, Trustee
1422 Lincoln Ave. #c
Calistoga, CA. 94515

Darlene Brissard
BRE# 01116386
Calistoga Realty Co.

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