



Dan Coyro/Sentinel file

The Viviano mansion, shown here in January 1988, may get some repair and attention.

Judge approves some repairs at disused, disputed mansion

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SANTA CRUZ — With the forces of nature threatening to dismantle Peter Viviano's partially built La Selva Beach mansion before slow-moving civil litigation can dispose of it, contractor Jack Eitzen has gotten a judge's blessing for some fix-up work around the place.

But Deputy County Counsel Marie Costa says that the work Eitzen wants to do would dramatically change the three-story, domed structure's "status quo," and says she will ask Superior Court Judge John Marlo to reconsider his decision.

Eitzen has been barred from working on the 13,264-square-foot house since the structure was red-tagged in 1985, after county inspectors discovered Viviano had exceeded the limits of his building permit by one floor and more than 6,000 square feet.

Last year, the Board of Supervisors ordered Viviano to shave 3,000 square feet and the top floor off the house, and County Counsel Dwight Herr filed suit to make the order stick. Viviano countersued.

In early June, after the litigation had dragged on for nearly 17 months, Eitzen went to court to get permission to do some repairs at Viviano's rambling dream house.

According to a declaration filed by the contractor, the structure is fast deteriorating, suffering from

"severe weather damage that, if left further unattended will, within the near future, cost in excess of \$250,000 to repair."

Marlo this week gave Eitzen permission to weatherize the house's exterior doors, paint and replace windows and outside moldings, lath and plaster the structure's exterior walls, repair the furnace, insulate the house's interior and install sheetrock over the insulation.

Eitzen said the latter work was needed to prevent the wall studs from twisting and warping further.

The judge also said Eitzen could install permanent front doors at the house, and he gave him permission to lay base rock in the driveway. Eitzen said the base rock was needed because otherwise, the long driveway would become impassable to police and fire vehicles during rainy weather.

Marlo rejected a request by the contractor for permission to install guard rails around the outside decks. Eitzen had said the guard rails were needed because the decks were easily accessible to trespassers, and "anyone can fall off ... without sufficient protection."

Costa said Thursday that it will be up to Viviano's attorney, Paul O. Lamphere of Martinez, to actually draft the order for the fix-up work. She said that after Lamphere submits the order to the judge, she will propose a more limited, alternative order.