



Kurt Ellison

Peter Viviano's La Selva Beach mansion may soon look different thanks to action by the Board of Supervisors.

Viviano ordered to remove illegal dome, third floor

By KATHARINE BALL
STAFF WRITER

The dome must go.

Peter Viviano must take down the third floor of his partially constructed La Selva Beach mansion, and its 28-foot-tall domed entryway. So ruled a divided Board of Supervisors yesterday.

La Selva Beach-area Supervisor Robley Levy, who made the motion ordering the demolition, said if the mansion was left intact and the supervisors settled for wringing a huge fine out of Viviano, the board would send a bad message to the community.

"The message is: the price may be high, but if you can pay that price you can do what you like," Levy said.

Supervisors Dan Forbus and Sherry Mehl voted against requiring the partial demolition.

The supervisors' ruling still leaves Viviano with a 9,500-square-foot house, 3,500 square feet larger than what his building permit allowed. The house currently measures 13,264 square feet.

Jack and Caroline Eitzen, the mansion's designers and builders, were apparently stunned by the decision.

"We didn't expect this at all today," said Jack Eitzen.

"I don't know what to say," said Caroline.

Both Eitzens refused further comment, but when a reporter asked whether the house, which is incomplete, was suffering from its nearly two years of exposure to the sea air, Caroline Eitzen snapped, "What do you think?"

Her husband promised further

'A viewshed is a viewshed only to those who view it that way.'

Supervisor Dan Forbus

comment later. The Eitzens would not say whether they will file suit against the county, or pursue a suit already filed, which contends the Board of Supervisors have no jurisdiction to rule on the mansion.

County Counsel Dwight Herr said another suit, filed by the county under the state Coastal Act, remains in effect. In that suit, the supervisors are seeking high monetary fines from Viviano: a \$10,000 initial fine plus as much as \$5,000 a day for construction continued beyond the 6,000 square feet authorized

by the county building permit Viviano had.

But Herr suggested the county might drop the bid for large fines.

"I think that the removal of the third floor is a substantial penalty in itself," Herr said. "If that's done, I wouldn't expect us to push for a large fine."

Supervisor Forbus argued at length with Levy over the motion to demolish the third floor.

Forbus said the board was choosing to enforce its permit ordinances selectively, and had unfairly singled out Viviano for punishment.

He pointed to the community of "Last Chance" on the North Coast, where numerous houses and a community center were built with no permits at all.

"To say that to let (the Viviano mansion) stand is to send a bad message — the problem is that you don't even need money to get away with it," said Forbus.

Referring to an extensive list of permit violations kept by the county, Forbus said, "Maybe we should take the 800 red tags out there and bring the whole county up to standard, and not just finger people we don't like."

NASA chases Aug. 4 for shuttle launch

CAPE CANAVERAL, Fla. (UPI) — NASA is shooting for an Aug. 4 launch of the next shuttle mission, space agency officials confirmed today on the eve of the second anniversary of the Challenger disaster.

"The flags are back at full staff," Rear Adm. Richard Truly, chief of the shuttle program, told a House space subcommittee in Washington. "The program and the people on this team are looking forward and I think that's what our friends (who died aboard Challenger) would expect from us."

Under the new schedule, the shuttle Discovery would be rolled to the launch pad May 13 and its main engines would be test fired June 13, leading to blastoff in early August if all goes well.

Sources told United Press International Tuesday that Aug. 4 was NASA's target planning date but agency officials today stressed that date was generated only as an internal goal for flight processing. An official launch date will not be pinned down until later in the launch processing "flow."

The announcement was made on the eve of the second anniversary of the Challenger disaster Jan. 28, 1986. Challenger was destroyed by a booster failure that claimed the lives of seven astronauts.

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using a gun.

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The problem is, we aren't consistent."

Levy responded that the Viviano mansion is in a "scenic corridor" of the Coastal Zone, where the county has been particularly insistent that landowners not build tall houses. She read off a list of houses near Viviano's where permits had been denied or building plans had to be altered to avoid construction of large two-story houses.

"It does appear to me to be fair and equal treatment" to make Viviano take down his dome, Levy said.

Forbus responded, "A viewshed is a viewshed only to those who view it that way." He said special considerations should not be applied just because the mansion is in the Coastal Zone.

Sherry Mehl also voted against the demolition order, saying she would have favored extracting a large fine from Viviano.

"We could have gotten landscaping to screen the house," she said.