



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

H-2

For the meeting of: January 13, 2015

Date: December 2, 2014

To: Board of Supervisors

From: Kevin R. Hamblin, Director, Planning and Building Department *YKH*

Subject: Status Report on the Appeal of Director's Determination of Administrative Refund by Patrick Shannon; Case Numbers SP-08-109E, SP-08-109, Building Permit Numbers 29524 and 32658; Assessor Parcel Number 522-174-009

RECOMMENDATION(S):

The Board of Supervisors:

- (1) Receive a status report from the Director of Planning and Building regarding the Board's August 19, 2014 directive to meet with Mr. Shannon to further discuss a potential settlement of the Appeal of the Director's Determination;
- (2) Direct staff to either (a) set a date to bring the continued Appeal of the Director's Determination before the Board for public hearing or (b) attempt to engage in further discussion regarding potential settlement of the Appeal of the Director's Determination.

Prepared by Kevin R. Hamblin
Director

CAO Approval

Amy Nissen

REVIEW:

Auditor _____ County Counsel *PS* Human Resources _____ Other _____

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Meetings of: November 5, 2013; August 19, 2014

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor _____ Seconded by Supervisor _____

Ayes _____
Nays _____
Abstain _____
Absent _____

SEE ACTION SUMMARY

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

SOURCE OF FUNDING:

Pursuant to the 2012/2013 Master Fee Schedule, a Board of Supervisors Appeal of Invoice is \$270, which has been paid by the appellant, Patrick Shannon.

DISCUSSION:

Patrick Shannon requested a refund, pursuant to Humboldt County Ordinance 2155, Section 4, of building and grading permit fees paid for emergency and after-the-fact permits for work done on assessor's parcel number (APN) 522-174-009 in the Willow Creek area. This refund request was denied by the Planning and Building Director and was appealed to the Board who opened the public hearing on this matter on November 5, 2013.

At that hearing, the Board directed the Planning and Building Director and the Chair of the Board to meet with Mr. Shannon to discuss a potential settlement of his Appeal. The Planning and Building Director reported back to the Board at their August 19, 2014 meeting that Mr. Shannon had rejected a proposal from the County and had asked that the matter be returned to the Board to set a date for the continued Appeal hearing. After receiving information from Mr. Shannon and his attorney at that August 19 meeting that settlement discussions were not at an impasse and that Mr. Shannon was interested in meeting further with County representatives, the Board again directed the Planning and Building Director and the Chair of the Board to meet with Mr. Shannon to discuss a potential settlement of his Appeal.

On September 10 and 12, 2014, County representatives and Mr. Shannon met to try to resolve the Appeal of the Director's Determination. These attempts were unsuccessful and on September 18, 2014 Mr. Shannon requested that the matter be brought back before the Board.

FINANCIAL IMPACT:

The meetings with Mr. Shannon were performed by staff and elected officials whose salaries are paid out of the General Fund. This report was written by staff whose salaries are paid out of the General Fund.

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board's discretion.