

Katherine Douglas

Public Comment - closed session

**From:** Jana Zimmer <zimmerccc@gmail.com>  
**Sent:** Monday, June 15, 2026 3:33 PM  
**To:** Steve Lavagnino; Bob Nelson; Joan Hartmann; Laura Capps; roy.lee@countyofsb.org; Katherine Douglas; sbcob; Mona Miyasato  
**Subject:** Fwd: Request for Site Visit 2640 Las Encinas

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Supervisors:

I have been informed that the Board will be considering our final offer of settlement in closed session at your meeting of June 23.

I would like to reiterate my request that you visit the lane and my property so I can show you the *current* condition, and the improvements that I and my neighbors have made over the three years that this dispute has been going on, as well as the one small remaining area on my neighbor's property that cannot be addressed.

I make this request because I am especially concerned that you understand that **I have never been allowed any appeal of your staff's determinations**, - appeals which were clearly authorized under the Fire Code, the Planning Code, and the Code of Regulations- and now you have changed the Fire ordinance while my appeal to the Fire Board is pending, so that I will never have an appeal to the Board of Supervisors. Please recall that I asked you to visit the site and/or meet with me so I could present the facts, and you (the four in office at the outset) did not respond.

I can understand that, in general, your Board would be inclined defer to a fire professional. **But that must be in context of an appeal hearing where a homeowner would have the opportunity to present their own expert, and their evidence, so you have a basis to make your judgment.** I have never been given that opportunity, or the opportunity to present the facts, and that is a very dangerous precedent, based on my experience.

You may be aware that there is a case pending on appeal in Supervisor Capps' District where the Board will have to consider competing expert opinions. In that case, the homeowners had the means to hire their own expert, AND there were competing "opinions"- between your current Fire Marshal (Tan) and P&D Director Plowman, and your former Fire Marshal (Hazard). Both Fire Marshal Tan and Fire Marshal Hazard were involved in my case, and Director Plowman has suspended processing of my permit unless I perform improvements now demanded by Tan.

I have no way of knowing what your lawyers will now recommend, nor what "facts" they present to you in private, and to which I will not be allowed to respond. The damages portion of the case has not been decided, and that is based on the continuing claim that the County breached the implied covenant of good

faith and fair dealing in processing my application. It remains my position that, at a minimum, their demands of me have been unlawful **as to timing**, from the outset, and an abuse of discretion as to Marshal Tan's most recent demands. I have made this point directly and specifically to Marshal Tan. I do not know if he will be present at your closed session.

Please let me know if/when you are willing to view the portion of the lane that is still in "dispute".

Jana Zimmer

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