

Memorandum

2012 SEP 21 PM 2:02

Date: September 21, 2012

To: Clerk of the Board

From: Scott D. McGolpin
Director, Public Works Department

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS



Subject: Resolution of Pending Appeal Regarding
Mr. Humen, Property Owner at 925 Ballard Canyon Road

On August 14, 2012, the Board of Supervisors heard the appeal of Mr. Humen arising from a decision issued by the Deputy Director of the Public Works Department involving three vehicles located on 925 Ballard Canyon Road. After considering all of the testimony and written evidence presented, the Board asked the appellant, Mr. Humen, to provide for a site visit with County staff to demonstrate the operability of the vehicles on August 21, 2012. A detailed discussion of the site visit was provided to the Board dated August 30, 2012.

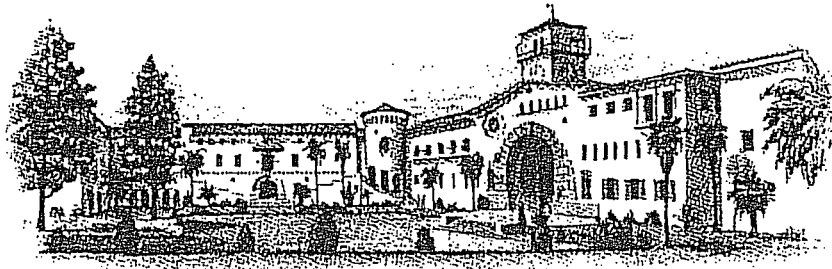
In summary, at the site visit, two of the three vehicles were proven to be operable and the third was inoperable but shielded from public view. As a result, the Department believes the property owner is in substantial compliance with Chapter 23, Article III although this may change if complaints of visibility are received from adjoining property owners or the inoperable vehicle is no longer screened.

This finding resolves the violations identified in the Notices of Intention to Abate issued on March 1, 2012 and renders the appeal filed by Mr. Humen moot. Mr. Humen has received written notification of this finding via certified mail (see attachment). Now that all of the outstanding violations have been resolved to the satisfaction of the County and Mr. Humen, the hearing continued to October 2, 2012 should be taken off calendar.

COPY

COUNTY OF SANTA BARBARA

Dennis A. Marshall
County Counsel



105 East Anapamu Street
Suite 201
Santa Barbara, CA 93101
Telephone: (805) 568-2950
FAX: (805) 568-2982

Marie A. LaSala
Senior Deputy County Counsel

COUNTY COUNSEL

September 10, 2012

Via Certified Mail

John Humen
Post Office Box 758
Buellton, CA 93427

Re: Resolution of Violations of Chapter 23, Article III of the County Code
925 Ballard Canyon Road

Dear Mr. Humen:

As you recall, at the close of the August 14, 2012, hearing regarding your property, the County Board of Supervisors requested that you allow a site visit to demonstrate the operability of the vehicles in question. On August 21, 2012, County staff arrived at your property at 9:00 a.m. at which time you did not allow them entry onto your property and instead requested an opportunity to start 2 of the 3 vehicles that have been cited to demonstrate their operability. Staff was permitted to view your demonstration from outside the gate to your property.

Staff has confirmed that you were able to start up and move 2 of the 3 vehicles. The third vehicle (AVA-003-2012), the silver delivery van, was not operable. However, you were able to screen the silver delivery van from the public roadway by placing one of the operable vehicles in front of it.

The County Code provides that an inoperable vehicle may not be visible from adjoining private property or public roadways and County staff was not able to determine if the inoperable vehicle is still visible from adjoining private property. However, since the County has not received a complaint from your adjoining property owner, no further action needs to be taken at this time.

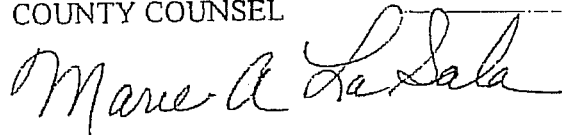
Based on these facts, the County has determined that you are now in substantial compliance with Chapter 23, Article III and no further action is needed. However, please keep in mind that this may change if complaints of visibility are received from adjoining property owners or the inoperable vehicle is no longer screened.

Mr. Humen
Sept. 10, 2012
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If you have any further questions regarding this issue please direct your inquiries to my attention.

Sincerely,

DENNIS MARSHALL
COUNTY COUNSEL

A handwritten signature in cursive script that reads "Marie A. La Sala". The signature is written in black ink and is positioned above the printed name and title.

Marie A. La Sala
Senior Deputy County Counsel

MLS/cd

CC: Leslie Wells