

ADMINISTRATIVE HEARING CALENDAR

Date: December 27, 2007 (Thursday)
 Time: **9:00 a.m. - 4:00 p.m.**
 Room: Board of Supervisors Chambers, Room 525
 Hearing Officer: George J. Gigarjian

Case No.	Time	Assessor's Parcel No.	Property Owner	C.E. Officer	Green Card Received On.../Signed By...	Comments
07-031	9:00 a.m.	102-351-19	Cross, Jack W. & Arline M. CP	KS	12-7-07 by Jack Cross.	On 12-27-07 Ad Hearing, the owners were absent. On the County's side Code Investigator Kevin Fitzpatrick was present, and he presented a signed Stipulation. Hearing Officer executed it. CASE OFF CALENDAR.
07-032	9:00 a.m.	099-111-03	Webb, Lowelle E. S/M	KS	12-7-07 by Lowell.	On 12-27-07 Ad Hearing, the owner was absent. Hearing Officer George J. Gigarjian stated on record that he received Mr. Webb's continuance request forwarded by the County via fax on 12-7-07. Code Investigator Katy Salazar stated that even though the owner based his request on emergency travel to Oregon to attend his ill daughter, she has seen Mr. Webb coming to the Planning Department various times including yesterday. Hearing Officer asked Code Investigator Katy Salazar to call Mr. Webb to find out if he was planning to attend the hearing. Code Investigator Katy Salazar contacted Mr. Webb, and his response was that he had recently arrived from and going back to Oregon; therefore, he could not attend the hearing. Hearing Officer George J. Gigarjian granted owner's request, and continued this case to 2-22-08 @ 9:00 a.m. In addition, he asked Code Investigator to contact Mr. Webb and inform him that he has about 2 months to well prepare for hearing, and to warn him that the hearing is going to proceed even in his absence.

07-033	9:00 a.m.	099-111-04	Webb, Lowelle E. S/M	KS	12-7-07 by Lowell.	<p>On 12-27-07 Ad Hearing, the owner was absent. Hearing Officer George J. Gigarjian stated on record that he received Mr. Webb's continuance request forwarded by the County via fax on 12-7-07. Code Investigator Katy Salazar stated that even though the owner based his request on emergency travel to Oregon to attend his ill daughter, she has seen Mr. Webb coming to the Planning Department various times including yesterday. Hearing Officer asked Code Investigator Katy Salazar to call Mr. Webb to find out if he was planning to attend the hearing. Code Investigator Katy Salazar contacted Mr. Webb, and his response was that he had recently arrived from and going back to Oregon; therefore, he could not attend the hearing. Hearing Officer George J. Gigarjian granted owner's request, and continued this case to 2-22-08 @ 9:00 a.m. In addition, he asked Code Investigator to contact Mr. Webb and inform him that he has about 2 months to well prepare for hearing, and to warn him that the hearing is going to proceed even in his absence.</p>
07-034	9:00 a.m.	103-031-02	Webb, Lowelle E.	KS	12-7-07 by Lowell.	<p>On 12-27-07 Ad Hearing, the owner was absent. Hearing Officer George J. Gigarjian stated on record that he received Mr. Webb's continuance request forwarded by the County via fax on 12-7-07. Code Investigator Katy Salazar stated that</p>

						<p>even though the owner based his request on emergency travel to Oregon to attend his ill daughter, she has seen Mr. Webb coming to the Planning Department various times including yesterday. Hearing Officer asked Code Investigator Katy Salazar to call Mr. Webb to find out if he was planning to attend the hearing. Code Investigator Katy Salazar contacted Mr. Webb, and his response was that he had recently arrived from and going back to Oregon; therefore, he could not attend the hearing. Hearing Officer George J. Gigarjian granted owner's request, and continued this case to 2-22-08 @ 9:00 a.m. In addition, he asked Code Investigator to contact Mr. Webb and inform him that he has about 2 months to well prepare for hearing, and to warn him that the hearing is going to proceed even in his absence.</p>
07-035	9:00 a.m.	032-081-47	Watson, Bruce D. U/M TC ETAL	LM	12-7-07 by B. Watson.	<p>On 12-27-07 Ad Hearing, the owner was absent. On the County's side Code Investigator Kevin Fitzpatrick was present. This case got continued to 2-22-08 @ 9:00 a.m.</p>

07-037	9:00 a.m.	077-391-06	Ewart, Jeffrey & Summer H/W CP RS	AL	<p>On 12-27-07 Ad Hearing, the owners were absent. On the County's side Code Investigator Kevin Fitzpatrick was present, and he requested a continuance to do the Personal Service process. Hearing Officer continued this case to 2-22-08 @ 9:00 a.m. to allow the County to proceed with the Personal Service process.</p>
07-038	9:00 a.m.	084-072-04	Wheeler, Charles K.	AL	<p>On 12-27-07 Ad Hearing, the owner was absent. On the County's side Code Investigator Kevin Fitzpatrick was present, and requested a 30-day continuance. <u>Hearing Officer continued this case to 1-25-08 @ 1:00 p.m. with Alternative Hearing Officer Stephania Francone.</u></p>

07-039	9:00 a.m.	064-211-77	Zimmerman, Lawrence R. U/M	AL	12-10-07 by Lawrence A. Zimmerman.	<p>On 12-27-07 Ad Hearing, the owner was absent. On the County's side Code Investigator Kevin Fitzpatrick was present, and requested to continue this case to the afternoon hearings. Hearing Officer granted request.</p> <p>On 12-27-07 Afternoon Ad Hearing, the owner was absent. Code Investigator Kevin Fitzpatrick presented a signed Stipulation. Hearing Officer executed it. CASE OFF CALENDAR.</p>
Case No.	Time	Assessor's Parcel No.	Property Owner	C.E. Officer	Green Card Received On.../Signed By...	Comments
07-026	1:00 p.m.	106-421-01 & 106-421-02 & 106-421-03	Cowan, Ron & Jean Farmer, ETAL	JR		<p>On 10-25-07 Calendar for Abatement Order Appeal.</p> <p>On 10-25-07 the owners Ron Cowan & Jean Farmer were absent. Code Investigator Jacob Rodriguez reported that one of the owners contacted him informing him of their not being able to attend the Appeal hearing; furthermore, Code Investigator continued saying that all involved</p>

					<p>parties agreed to continue this case to a special Appeal Hearing; therefore, Code Investigator Jacob Rodriguez formally requested the continuance of this case. Hearing Officer granted request and continued it to a Special Hearing on 11-1-07 @ 10:30 a.m.</p> <p>On 11-1-07 the owners Ron Cowan & Jean Farmer were present. On the County's side Principal Planner Ken Hart, Code Investigators Jacob Rodriguez and Kevin Fitzpatrick were present. Hearing Officer made sure that enough evidence had been submitted, and that owners were properly served. The owners claimed not being aware of the hearing, and not being properly served: they brought a different Evidence Case-packet than the County and Hearing Officer who asked the County if the mailing was properly done to serve owners. According to the County, this case was originally scheduled to be heard on 10-25-07 at 9:00 a.m., and the case-packets were mailed to owners on 10-16-07 by Lucia Ruiz (one-certified & one-regular mail); thereafter, prior to the hearing one of the owners contacted Code Investigator Jacob Rodriguez to inform him that they were not going to be able to attend the hearing; consequently, a Special Appeal hearing was arranged for 11-1-07, and on 10-23-07 Code Investigator Jacob Rodriguez sent to owners a letter informing them of the updated Appeal Hearing; in addition, a generic continuance letter was sent to owner on 10-29-07. Hearing Officer asked the owners if they wanted to continue this case, or if they preferred to proceed with the Appeal Hearing. The owners responded that they wanted to proceed with the Appeal Hearing, and the Appeal Hearing started. Owner Jean Farmer requested to the County to be very specific matching the violation with the corresponding parcel when presented evidence (this case included 3 parcels). Everybody agreed. Code Investigator Jacob Rodriguez presented the County's side of the case before Hearing Officer and submitted County Exhibits. The owner Jean Farmer objected to some of the County's Exhibits. Hearing Officer responded that he would decide what is relevant to the case or not, but he would take the owner's opposition into account; furthermore, Hearing Officer requested to the County to provide this court with each appropriate County Code Section regarding the violations on this case. Kevin Fitzpatrick provided Hearing Officer with the requested County Code Sections.</p>
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					<p>Property Owner Ron Cowan asked Code Investigator Jacob Rodriguez, if there were any changes from one site inspection to another. Code Investigator Jacob Rodriguez responded that there were in fact changes on the last inspection: there were less garbage, but also an additional inoperable vehicle. Property Owner Jean Farmer stated that she & her husband are not the owners of Parcel 106-421-01, but Artist for Positive Action Trust is; and according to her, Pegasus Trust is the owner of parcel 106-421-03. Hearing Officer asked the County if they had verified owners on title of the properties. Code Investigator Jacob Rodriguez responded that the County concluded that Ron Cowan & Jean Farmer are the owners of the properties because under all of these parcels' information, Ron Cowan & Jean Farmer's mailing address are the only contact information: the owners on title for 106-421-01 Artist for Positive Action Trust is listed as owner, for 106-421-02 & 106-421-03 both Farmer Jean Trustee ETAL and Pegasus Trust are listed as owners; furthermore, there is no other information available to lead to other owners, director/person in charge, or members of registered non-profit organizations. Hearing Officer asked the owners the reason of why their mailing address is listed under all of the 3 parcels; the owner Jean Farmer responded that she is a volunteer for the non-profit agencies. Hearing Officer ordered owners Jean Farmer & Ron Cowan to bring proof of who the real owners of parcel 106-421-01 & 106-421-03 are as they had claimed not being the true owners, but the volunteers of the non-profit agencies; that includes: owners' names and their contact information (addresses and phone numbers, etc., etc., etc.); In addition, if the owners are non-profit organizations, to bring information of the Board of Directors, tax registration number etc. etc. so they can be properly served. Since there was no more time available to finished this case and owners could not reschedule to continue the case at a Special Hearing next week, Hearing Officer continued it to 11-29-07 @ 9:00 a.m. (Appeal Hearing lasted over 4 hours).</p> <p>On 11-29-07 hearing the owners Jean Farmer and Ron Cowan were present. On the County's side Principal Planner Ken Hart and Code Investigator Jacob Rodriguez were present. Hearing Officer continued the case to 12-27-07 at 1:00 p.m. By 12-6-07 owner should submit to Hearing Officer</p>
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					<p>with copy to the County the 18-page Legal Memorandum. By 12-21-07 the County should submit to Hearing Officer with a copy to owner the original 1958 Building & Zoning Ordinances. By 12-21-07 Both parties (County & owner) may submit any additional submittals.</p> <p>On 12-27-07 Ad Hearing, Ron Cowan and Jean Farmer were present. On the County's side Principal Planner Glenda Hill along with Code Investigators Jacob Rodriguez and Kevin Fitzpatrick were present. Both parties submitted additional exhibits, and finished presenting their case before Hearing Officer. Principal Planner Glenda Hill testified on behalf of the County. Hearing Officer ordered that the owners may submit additional comments directed to him and to the County Planning Department by no later than 1-17-08; thereafter, the County Planning Department may submit a response directed to him and to the owners by no later than 1-24-08. Hearing Officer would render his Decision & Order after 1-24-08.</p>
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07-029	1:00 p.m.	027-132-07	Cohen, Andrew J M/M SS AS TC ETAL; Jaynes, George ETAL	KF	11-26-07 by A. J. Cohen.	<p>On 11-29-07 hearing, the owners were absent. Claire Machado a Land Use Consultant claimed to be representing owners, and requested a 60-day continuance. Code Investigator Kevin Fitzpatrick responded that the County is opposed to the request, but agree to a 30-day continuance instead. Hearing Officer continued this case to 12-27-07 @ 1:00 p.m.</p> <p>On 12-27-07 Ad Hearing, the owner was absent. Land Use Consultant Claire Machado was present at 9:00 a.m. to request a continuance. Code Investigator Kevin Fitzpatrick responded that the County was ready to proceed; but if the request were going to be granted, then the County would agree to a 30-day continuance. Claire Machado agreed. Hearing Officer George J. Gigarjian continued this case to 1-24-08 @ 9:00 a.m. with Alternative Hearing Officer Stephania Francone.</p>
07-030	1:00 p.m.	102-041-28	Byrne, Antoinette Jardine S/W	KS	11-19-07 by: A. Jardine	<p>On 11-29-07 hearing the owner was present. Hearing Officer explained her the hearing process. The owner Antoinette Byrne Jardine stated that she no longer carries her husband's last name, and she is now known as Antoinette Jardine. In addition, Antoinette Jardine questioned about the Code Costs hourly rate. Principal Planner Ken Hart offered to bring a response in writing. Hearing Officer accepted it. This case got continued to 12-27-07 @ 1:00 p.m.</p> <p>On 12-27-07, the owner was present at 9:00 a.m. hearings instead of 1:00 p.m. hearing as scheduled to request a continuance. Code Investigator Katy Salazar responded that the County was ready to</p>

						proceed with the hearing. Hearing Officer granted the owner's request, and continued the case to 2-22-08 @ 9:00 a.m.
07-036	1:00 p.m.	031-152-07	Ponza, Michael J. & Alice M. Trustees	LM		On 12-27-07 Ad Hearing, the owners were absent. Code Investigator Kevin Fitzpatrick presented a signed Stipulation; Hearing Officer executed it. CASE OFF CALENDAR.
07-040	1:00 p.m.	030-052-02	Dawson, Brian G. & Layla F. Trustees	LM	12-11-07 by Layla Dawson.	On 12-27-07 Ad Hearing, the owner was absent. Code Investigator Kevin Fitzpatrick requested a continuance. Hearing Officer continued the case to 2-22-08 @ 9:00 a.m.

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CANCELED ADMINISTRATIVE HEARING CALENDAR

Date: December 28, 2007 (Friday)
 Time: **9:00 a.m. - 4:00 p.m.**
 Room: Board of Supervisors Chambers, Room 525
 Hearing Officer: George J. Gigarjian

Case No.	Time	Assessor's Parcel No.	Property Owner	C.E. Officer	Green Card Received On.../Signed By...	Comments
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