



# COUNTY OF SANTA CRUZ

**PLANNING DEPARTMENT** 701 OCEAN STREET, 4TH  
FLOOR, SANTA CRUZ, CA 95060 (831) 454-2580 FAX: (831)  
454-2131 TDD: (831) 454-2123 **TOM BURNS, PLANNING  
DIRECTOR**

Lowell Webb  
5381 Old San Jose Road  
Soquel Ca 95073

August 12, 2008

Re: July 23, 2008 letter regarding the Housing Appeals Board

-Dear Mr. Webb:

I am writing in response to your July 23, 2008 letter addressed to me and to your handwritten cover memo addressed to the Chair of the Housing Appeals Board. You have requested a hearing with the Housing Appeals Board regarding the Notice of Violation that was issued by the County Planning Department citing several violations of the County Code on the property that you own. In response to the Notice of Violation, you requested a Protest meeting. Glenda Hill conducted that meeting and, on July 6, 2007, determined that the alleged violations were valid. Subsequently, as authorized by the County Code, the violations were recorded on your property.

The enforcement case is now pending before the County Administrative Hearing Officer. The arguments you are making about State preemption and your right to a hearing before the Housing Appeals Board are also set forth in a brief that you filed in connection with that case.

Since this matter is pending before the Administrative Hearing Officer, that is the appropriate forum for addressing your arguments. Our response will be set forth in a brief that will be filed in the near future. Your case is back on calendar on August 14, 2008.

Again, as I indicated to you at the July 23 meeting of Building and Fire Code Appeals Board, the Building and Fire Code Appeals Board does-not have jurisdiction over any enforcement actions initiated by the County. Their duties are set forth in County Code Chapters 2.100, 12.12, and 7.92.

A copy of your letter, and this response, will be sent to the Building and Fire Code Appeals Board. But presently, there is no seated Board so this will not be done until after September 9, 2008, at which time the Board of Supervisor is expected to make appointments to the Building and Fire Code Appeals Board. A copy of your letter will also be forwarded to our Environmental Health Services Department, which is the agency that does handle enforcement of State Housing Law, so that they are aware of the concerns that you have raised.

Sincerely, David Lee  
Assistant Planning Director

inc

David J.  
Assistant  
Cc: Building and Fire Code Appeals Board  
Environmental Health Department