

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 9/17/2013	(3) CONTACT/PHONE Greg Camack, Resource Protection Specialist / 788-2006	
(4) SUBJECT Board approval of findings to expend funds and enter into agreement for the Inquito Nuisance Abatement - Resolution No. 2013-184. District 1.			
(5) RECOMMENDED ACTION That your Board adopt the findings in the Exhibit A (Resolution No. 2013-184) and adopt the order to approve the expenditure of funds for abatement costs by the Planning and Building Department in Exhibit B of this report.			
(6) FUNDING SOURCE(S) Planning and Building	(7) CURRENT YEAR FINANCIAL IMPACT \$20,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? NO
(10) AGENDA PLACEMENT { } Consent { } Presentation { } Hearing (Time Est.) { x } Board Business (Time Est. 30 minutes)			
(11) EXECUTED DOCUMENTS { } Resolutions { } Contracts { } Ordinances { X } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A { } 4/5th's Vote Required { X } N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { } N/A Date: <u>7-23-13</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(18) SUPERVISOR DISTRICT(S) District 1			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Greg Camack, Resource Protection Specialist

VIA: Cheryl Journey, Chief Building Official

DATE: 9/17/2013

SUBJECT: Board approval of findings to expend funds and enter into agreement for the Inguito Nuisance Abatement - Resolution No. 2013-184. District 1.

RECOMMENDATION

That your Board adopt the findings in the Exhibit A (Resolution No. 2013-184) and adopt the order to approve the expenditure of funds for abatement costs by the Planning and Building Department in Exhibit B of this report.

DISCUSSION

The item before your Board is a request to review estimated expenditures for the Board ordered abatement of nuisances on the property commonly known as 480 Mesa Grande Drive, Shandon, California (Property).

The Property was the subject of a Nuisance Abatement Hearing before the Board on July 23, 2013, and under Resolution No. 2013-184, was ordered to have all confirmed violations resolved by no later than 5:00 PM on August 23, 2013, in accordance with the provisions of Section 22.74.070 of the San Luis Obispo County Code (County Code).

The nuisances consist of the following violations of the County Code:

- (1) An incomplete unpermitted two story residential structure determined to be unsafe and unsecured against entry in violation of:
 - California Building Code (CBC) Sections 105.1 and 105.5 – Permit required (Pursuant to County Code Section 19.01.040, the County adopted and made a part of the County Code, the CBC); and
 - International Property Maintenance Code (IPMC) Section 301.3 – Vacant structures and lands must be kept in a safe, clean and secure condition (Pursuant to County Code Section 19.01.040, the County adopted and made a part of the County Code, the IPMC).
- (2) Outdoor or unsafe storage of vehicles, recreational vehicles, junk, debris, materials, trash, containers and other items in violation of:
 - County Code Section 22.30.040 – An accessory use shall not be established unless a principal use has first been established;

- County Code Section 22.30.040.F. – Stockpiled materials, scrap and junk shall occupy an area not greater than 500 square feet;
- IPMC Section 301.3 – Vacant lands and structures must be kept in a safe, clean and secure condition.

Investigation Summary

As of August 23, 2013 at 5:00 PM, there has been no further contact or response from Respondents or any other known or admitted responsible party for this property to the Board Order and Resolution dated July 23, 2013. Respondents were sent and did sign for the above mentioned documents sent to them by First Class and Certified Mail Service, with a notice posted at the property entrance.

Investigation

On August 26, 2013, staff inspected this property to confirm compliance with the Board Order / Resolution and found non-compliance with the continued violations as confirmed during the Board Abatement Hearing of July 23, 2013.

Conclusion

Respondents continue to maintain the Property in violation of County Code. They have been legally noticed and have signed for notices sent via certified mail. Respondents are the sole owner-of-record of the Property. Although they appear to have abandoned the Property, no formal foreclosure proceedings have begun (no Notice of Default or Notice of Trustee's Sale has been recorded). Consequently, staff recommends that your Board approve the required funding to abate the findings in Exhibit A and adopted the Order in Exhibit B.

OTHER AGENCY INVOLVEMENT/IMPACT

None

FINANCIAL CONSIDERATIONS

Respondents have failed to comply with the recommended Board order. Staff will now, with a judge ordered administrative warrant, abate the nuisances; pursuant to the provisions of County Code Section 22.74.150 E and all violations outlined in the Board Letter will be resolved.

Costs approved at this hearing, including staff and administrative time, will be billed to the Respondents who will be allowed 30 days to pay the bill. Any failure to do so will result in the recordation of a lien, the amount of which will be entered on the assessment roll as a special tax assessment.

RESULTS

All trash, materials, equipment, vehicles, vehicle parts, tires, scrap metals or other stockpiled items will be removed from the property. All structures will be boarded at all open lower floor openings to help prevent access to structures considered as abandoned and unsafe. The property is also to be fenced and posted in an effort restrict unauthorized access to this property. The contractor will monitor and maintain the site security and cleanliness on a monthly basis for a period of up to 12 months for this abandoned property, after which time staff may need to readdress this property before the Board for continued review.

ATTACHMENTS

Exhibit A – Findings

Exhibit B – Board Order