

## **El Dorado Fee Waiver Application – Policy B-2 (updated 7/23/2021)**

We, Jon and Kelly Helms residing at 6521 Slug Gulch Road, are submitting this request for waiver of fees related to our permit application (see itemized fees for Permit #317507 listed below). In accordance with county policy, we qualify for consideration due to 'extreme financial hardship' (as defined in section III.D).

In addition to the hardship directly related to the specified fees, expenses to satisfy application review requirements have been a significant financial burden as well. We also believe additional considerations support our request, which are addressed below (as part of the Fee Waiver Request section).

The specific El Dorado County Planning and Building Department permit fees are as follows:

Building Services (\$261.04 and \$555.04) \$816.08

Technology \$13.37

General Plan \$10.02

Surveyor Site Address \$40.00

Environmental Management \$1,714.00

Code Enforcement \$522.08

**Total \$3,115.56** (total includes \$555.04 paid 2/7/2020) \*

Note: \* As instructed, the above total excludes permit fees collected for 'other' agencies (CA Green fee \$2.00; Pioneer Fire District \$600.00; and Pioneer School District \$1600.00). We have also applied to the Pioneer Fire District and the Pioneer School District for waiver of their applicable fees.

### **Project Description**

Our permit application #317507 is for conversion of a dwelling unit (500 square feet) within an accessory building (20' x 40') on our property.

**Permit Background.** In late 2013 we acquired our property (APN 095-080-49-100). The acreage was well suited for the family farm that we wanted to start. However, it was necessary to acquire the property in 'as is' condition and the two structures with living quarters had been unoccupied for a long period of time and were in a serious state of disrepair.

Prior to purchasing the property, we obtained all available county building and assessment records and met with Building and Planning Department staff as part of due diligence to determine whether any permit issues existed.

Assessment records identified: a main residence; the ancillary structure which is the subject of the current permit application; and a barn. Construction of the main residence completed in 1979 had a valid permit; and a 2003 code enforcement record relating to the living quarters in the building covered by our permit did not indicate that a code enforcement violation existed at that time.

**Code Enforcement.** It wasn't until the Building Department investigated a code enforcement complaint in December 2018 that we were informed there were no valid permit records for the structure that is subject of our permit as well as the barn.

Upon further review, the Building Department determined the barn was legal since its age pre-existed building codes.

We then undertook extensive property research to determine whether the building subject to the current permit also pre-existed building codes; and provided documentation to that effect. While the Building Department concluded the structure was 'legal' it was also determined that unpermitted improvements to this building were made after codes were in effect. As a result, the Building Department determined that, notwithstanding the fact that these 'improvements' occurred well before our ownership, it would be necessary for us to obtain a permit application for 'conversion' of this living quarters space.

**Financial Hardship Need.** The level of our income (reported as of 12/31/2020 and to date) is well below the prescribed low-income eligibility level (i.e., 80% of area Median Family Income). We have committed our life savings to developing our farm property; this harvest season is our first opportunity to sell our produce (we anticipate very modest proceeds this year).

In pursuit of the Building Department's application review process, it has been necessary to incur about \$3,000 in consultant fees (for consulting engineer, Title 24, geologic and well inspection reports) along with an additional \$5,500 to comply with Pioneer Fire District requirements (permit fees and costs related to purchase and installation of a water storage tank for fire protection).

**Fee Waiver Request.** We are requesting the \$1,000 maximum fee waiver which can be granted without Board of Supervisors approval (but if it is possible to make application for Board approval of a higher amount we would ask for consideration of that option as well). As noted, we qualify based on income level.

In addition to qualifying based on financial hardship, we hope consideration be given to our request for two additional reasons:

- 1) We attempted in good faith effort to ensure compliance with county building codes (before acquiring the property and in subsequently obtaining necessary permits for electrical work). We hope the fact of our diligent efforts (and lack of availability of records that pre-existed codes) may be given some consideration too in support of our request for relief.
- 2) We also note that it is county policy to encourage development of affordable housing. This living quarters (occupied by an essential share worker who is part of our farm operation) does add an affordable dwelling unit in furtherance of this beneficial policy.