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October 7, 2008

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TO: The Board of Supervisors

RE: Public Hearing on October 14th, 2008
Appeal of TMA 08-007-A
Item #08-1509

FROM: Sandra and Gordon Prow

Our request is a simple one. We are asking you to follow the code compliance for a hardship and deny the permit request. Everyone present at the appeal on September 11th agreed that this request for a hardship does not meet code because the house is an investment property. The attorney, the planning commissioners, staff members from the planning department, and the owners all acknowledged that fact. Against the attorney's and the county's recommendation, the commissioners crossed off line item 3g on the TMA deleting the owner occupancy requirement so that they could approve the request. They extended their approval for two years.

By code definition, there is no real hardship. Cherylyn Story wants to put her son in the mobile home because he can't afford his apartment rent. He is not being dislocated – he is just looking for a cheaper place to live. She does have other choices in helping her son. He could move into the house on Kasey Lane – it is vacant. He could line up room mates to cover the rent. Legally, Cherylyn could put the mobile home on her primary residence.

I was very disappointed that the county changed their recommendation after the first appeal. I believe they flip flopped because the county did a poor job throughout the entire process and because a substantial amount of money had already been spent by the homeowner.

The first error made was issuing the permit. Jim Wasner, the Operations Supervisor of the Planning Department, acknowledged my complaint and agreed it did not meet code. He also told me that his staff had been cut and no one would be responding to my complaint. I had to call Helen Bauman's Office and she had to contact Mr. Wasner and complain in order to get them to issue the stop work order. It took several weeks for the building department to issue a stop work order instead of several days.

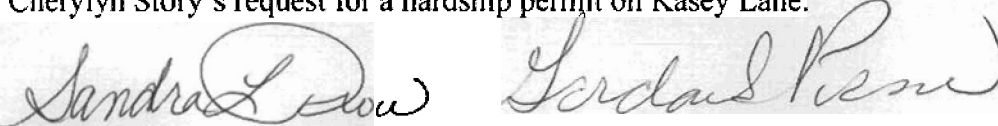
Everyone on the board felt bad that the owners had spent money, knowing they had been issued a permit. The money spent on the property is not a total waste. The mobile home can be moved or sold. Cherylyn has assured me that some how there will be another house on her property, even if the hardship does not work out. All the ground work, septic and power line ditches can be used in the future.

I was very surprised that Mr. Hasel referred to us as hostile neighbors in his letter dated September 2nd. We have never met or spoken to Mr. Hasel. His remark was slanderous, and hurtful. Please do not get the wrong impression of us. We are not hostile towards them. We are just trying to protect our property values and quality of life.

If this project is approved as recommended by the Board of Commissioners, I will be in this same uncomfortable spot I am in right now when it expires in two years. The county does not check on expired hardships – ever. I will have to file a code compliance complaint again and the entire process will have to be re-visited. How will this be in the best interest for any of us?

Unless you are prepared to change the owner occupancy rule and the hardship definition, I see no way to approve this project.

We trust you to uphold the letter of the law and enforce the hardship code by denying Cherylyn Story's request for a hardship permit on Kasey Lane.



Gordon and Sandra Prow
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