



Legislation Details (With Text)

File #: 18-0337 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 2/21/2018 **In control:** Board of Supervisors

On agenda: 3/6/2018 **Final action:** 3/6/2018

Title: HEARING - To consider an appeal submitted by Richard Young to determine whether findings of the Vacation Home Rental Administrative Hearing Officer are supported by substantial evidence. Vacation Home Rental address related to this hearing is 2541 Copper Way in the unincorporated area of South Lake Tahoe. (Est. Time: 30 Min.)

Public comment on this matter is restricted to the specific appeal as agendized.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - R. Young Appeal, 2. B - Hearing officer decision for 2541 Copper Way, 3. Public Comment Rcvd 3-6-18 BOS 3-6-18, 4. Handouts presented at Hearing BOS Rcvd 3-6-18

Date	Ver.	Action By	Action	Result
3/6/2018	1	Board of Supervisors	Approved	Pass

HEARING - To consider an appeal submitted by Richard Young to determine whether findings of the Vacation Home Rental Administrative Hearing Officer are supported by substantial evidence. Vacation Home Rental address related to this hearing is 2541 Copper Way in the unincorporated area of South Lake Tahoe. (Est. Time: 30 Min.)

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DISCUSSION / BACKGROUND

Richard Young, owner of Vacation Home Rental (VHR) # 1097 located at 2541 Copper Way in the unincorporated area of South Lake Tahoe filed an appeal of three cases with the Clerk of the Board on February 8, 2018 which is within the 60 appeal period pursuant to ordinance code section 5.56.150. The Clerk mailed written notice to Mr. Young on February 14, 2018 indicating the hearing before the Board of Supervisors scheduled for March 6, 2018. The appeal seeks to reject the findings of decision of the VHR Administrative Hearing Officer.

The Clerk of the Board worked with the Treasurer-Tax Collector's office to prepare the below summary of the two cases being appealed. Details for each case are provided in the various attachments to this agenda file. The Administrative Hearing Officers decision is also included as an attachment.

Case 17-202 Noise and Occupancy:

On August 24, 2017, a Sheriff's report dated August 20, 2017, was received by the Treasurer-Tax Collector's office regarding 2541 Copper Way, South Lake Tahoe. After an investigation, the Treasurer-Tax Collector's office determined there were violations of county code section 5.56 - Vacation Home Rentals in the Lake Tahoe Basin and applied penalties pursuant to section 5.56.140 (B). The cited violations were specific to code section 5.56.090(A)(3)(4), noise and noise recurrence,

and code section 5.56.090(A)(1), occupancy.

Upon receiving a Notice of Violations, Richard Young requested a hearing before the Administrative Hearing Officer. A hearing was set for November 21, 2017. Upon a request by Richard Young the hearing was rescheduled for December 1, 2017. On December 14, 2017, the hearing officer distributed his determination which sustained the noise and occupancy allegations. This is the first and second violation in a twelve month period resulting in penalties of a warning notice of violation for the first violation and a \$250.00 fine for the second violation.

Case 17-203 Noise:

On August 24, 2017, a Sheriff's report dated August 21, 2017, was received by the Treasurer-Tax Collector's office regarding 2541 Copper Way, South Lake Tahoe. After an investigation, the Treasurer-Tax Collector's office determined there were violations of county code Chapter 5.565 - Vacation Home Rentals in the Lake Tahoe Basin and applied penalties per §5.56.140(B). The cited violations were specific to code §5.56.090(A)(3)(4), noise and noise recurrence, and §5.56.130(A), failure of local contact to respond.

Upon receiving a Notice of Violations, Richard Young requested a hearing before the Code Enforcement Hearing Officer. A hearing was set for November 21, 2017. Upon a request by Richard Young the hearing was rescheduled for December 1, 2017. On December 14, 2017, the hearing officer distributed his determination which sustained the noise allegation. This is the third violation in a twelve month period resulting in penalty of a \$500.00 fine.