



Legislation Details (With Text)

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Title: HEARING - To consider an appeal submitted by Lake Tahoe Accommodations to determine whether findings of the Vacation Home Rental Administrative Hearing Officer are supported by substantial evidence. Vacation Home Rental addresses related to this hearing are 1240 Pine Valley Road and 1845 Susquehana Drive 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 - LTA Appeal, 2. B - Hearing officer decision for 1290 Pine Valley Rd, 3. C - Hearing officer decision for 1845 Susquehana Dr., 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

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DISCUSSION / BACKGROUND

Josh Priou of Lake Tahoe Accommodations has requested an appeal to the Board of Supervisors pursuant to county ordinance section 5.56.150 (B) regarding the Decision of the Administrative Hearing Office on two South Lake Tahoe Vacation Home Rental's located at: 1240 Pine Valley Road and 1845 Susquehana Drive. The appeal was filed with the Clerk of the Board on January 17, 2018 which is within the 60 appeal period pursuant to ordinance code section 5.56.150. The Clerk provided written notice to Lake Tahoe Accommodations on January 25, 2018 of the hearing before the Board of Supervisors scheduled for February 13, 2018. On January 31, 2018, Mr. Priou requested the hearing be moved from February 13, 2018 and the Clerk agreed to moving the hearing to March 6, 2018.

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.

1240 Pine Valley Road

On June 29, 2017, a Sheriff's report dated June 25, 2017, was received by the Treasurer-Tax Collector's office regarding 1240 Pine Valley Road, South Lake Tahoe. After an investigation, the Treasurer-Tax Collector's office determined there were violations of county code Chapter 5.56 -

Vacation Home Rentals in the Lake Tahoe Basin and applied penalties per code section 5.56.140 (B). The cited violations were specific to code section 5.56.090 (A)(4), noise violation, and code section 5.56.090(A)(7) related to a posted expired permit.

Upon receiving the Notice of Violations, Josh Priou of Lake Tahoe Accommodations requested a hearing before the Code Enforcement Hearing Officer. A hearing was set for December 15, 2017. On December 27, 2017 the hearing officer distributed his determination which sustained the noise allegation and did not sustain the expired permit allegation. This is the first violation in a twelve month period and the penalty is a warning notice of violation.

1845 Susquehana Drive

On July 24, 2017, a Sheriff's report dated July 16, 2017, was received by the Treasurer-Tax Collector's office regarding 1845 Susquehana Drive, South Lake Tahoe. After an investigation, the Treasurer-Tax Collector's office determined there were violations of the County Code Chapter 5.56 - Vacation Home Rentals in the Lake Tahoe Basin and applied penalties per section 5.56.140 (B). The cited violations were specific to code section 5.56.090 (A)(4), noise violation, 5.56.090 (A)(3) noise violation regarding the use of a hot tub, and 5.56.090 (A)(7) permit not posted in conspicuous place within unit.

Upon receiving the Notice of Violations, Josh Priou of Lake Tahoe Accommodations requested a hearing before the Vacation Home Rental Administrative Hearing Officer. A hearing was set for December 15, 2017. On December 27, 2017 the hearing officer distributed his determination which sustained the noise violation for hot tube use after hour's allegation and did not sustain the noise and permit allegation. This is the first violation in a twelve month period and the penalty is a warning notice of violation.