

# 2814 Bluebell Hill Drive Appeal of Notice and Order

CPC AP 18-00065

June 21, 2018

Tom Wasinger

Code Enforcement Supervisor



# Subject Property 2814 Bluebell Hill Drive



# Establishing Photo



Photo take 4/4/18

# South Portion of Property



# Northeast Portion of Property



Photo take 4/4/18

# Equipment Stored At Property



Photo take 4/4/18

# Equipment Stored At Property



Photo take 5/9/18

# Equipment Stored At Property



Photo take 5/16/18



# Equipment Stored At Property



Photo take 5/16/18

# Notice and Order to Abate



- Notice and Order to Abate issued May 16, 2018
- Copy personally served to property owner, Jackie Haag
- The property is zoned R-Estate Single-Family and is intended for residential use types. Commercial Storage or Use is not permitted per City Code Section §7.3.103: PERMITTED, CONDITIONAL AND ACCESSORY USES.

# Public Notification



- Included posting the site
- Sending postcards to neighbors of the property
- Materials prepared by the Planning Department staff and provided to the appellant for posting and distribution

# Appellant Concerns & City Response

- Appellant agrees the use is not permitted.
- Appellant stated she is allowing a friend to use her property to store the equipment and chopped wood for his commercial business.
- Appellant states “The problems listed in the Notices of Violation and Abatement are in the process to be cured whether or not this appeal is decided in the property owner’s favor or not. We are in agreement with Raul that this is the only course of action because of the misuse and misappropriation of our address.”
- Staff agrees with the appellant that the use should be abated.
- Staff is in favor of allowing a short extension to remove the use, the storage of equipment, and material from the property. Staff believes an additional 30-days (a deadline of July 23, 2018), from the date of hearing is reasonable.

# Criteria to Appeal

- Notice and Order is not against the express language or intent of City Code 7.3.103.
- The Intent and Purpose of the Zoning code is to protect property values, preserve neighborhoods, and ensure compatible uses. 7.2.102: INTENT AND PURPOSE OF ZONING CODE.
- Notice and Order is not unreasonable or erroneous.
- City Code section 7.5.906.A.1 states that the submittal of the appeal application must meet the criteria to appeal. Code Enforcement does not believe that the appellant has met these criteria.

# Questions?

