

COUNTY OF NEVADA
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BOARD OF SUPERVISORS



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Julie Patterson Hunter,
Clerk of the Board

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: February 27, 2018
TO: Board of Supervisors
FROM: Julie Patterson Hunter
SUBJECT: Resolution making findings and accepting the appeal filed by Andrew R. Cassano, Susan Rideout, Claudia Anne Baker, and Patricia Frega for the Planning Department's Notice of Conditional Approval for Boundary Line Adjustment (PLN17-035; LLA17-0024) located at 15144 and 15200 Lake Lane, Nevada City (APN38-500-01; and APN 38-120-06, respectively); and scheduling a public hearing for March 27, 2018 at 10:30 a.m. (Dist. I)

RECOMMENDATION: Adopt Resolution making findings as recommended by staff, accepting the appeal and setting the hearing on the appeal for March 27, 2018, at 10:30 a.m.

FUNDING: Filing fee collected from Appellant for costs.

BACKGROUND:

On January 19, 2018, the Planning Department issued a Notice of Conditional Approval for Boundary Line Adjustment (PLN17-035; LLA17-0024) with conditions requiring that an outbuilding be relocated and that a building permit be obtained for another building located at 15144 and 15200 Lake Lane, Nevada City, CA 95959 (APN 38-500-01 & APN 38-120-06), respectively.

On January 29, 2018, Andrew R. Cassano filed an appeal on behalf of Susan Rideout, Claudia Anne Baker, Patricia Frega and all pending and future Nevada County Boundary Line Adjustment Applicants regarding the Planning Department's decision to place conditions on the boundary line adjustment application.

Table L-II 5.2 of the Nevada County Land Use and Development Code (LUDC) summarizes which County body reviews, recommends, and takes final action on land use permits. Only where a body has final permitting authority are those decisions appealable to the Board of Supervisors. The Planning Department is the permitting authority for the above approvals, and the Board of Supervisors is the appealing body for the Planning Department.

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Section L-II 5.12.G of the Nevada County Land Use and Development Code requires the Clerk to present the appeal to the Board of Supervisors at a regular meeting, so the Board can consider whether to accept this appeal and, if accepted, schedule it for a public hearing. County Counsel and the Clerk of the Board have reviewed the appeal and recommend that the Board find:

- The applicant is an interested party who has standing to file the appeal; and
- The appeal was timely filed; and
- The appeal satisfies the minimum requirements set forth in L-II Section 5.12.F of the County's Land Use and Development Code.

Staff further recommends that the Board accept the appeal of the actions approved by the Planning Department and set it for public hearing on March 27, 2018, at 10:30 a.m.

Respectfully submitted,

Item Initiated by: Jeffrey Thorsby, Senior Administrative Analyst

Approved by: Julie Patterson Hunter, Clerk of the Board