



## OFFICE OF THE COUNTY ADMINISTRATOR

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### MEMORANDUM

TO: The Honorable Chairman and  
Members of the Board of County Commissioners

FROM: Barry A. Burton, County Administrator *BA B*

SUBJECT: December 10, 2019 Board Meeting Agenda Item 19-2082A

DATE: November 25, 2019

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At the December 10, 2019 Board meeting you will be asked to consider advertising for a public hearing on an appeal related to a dock permit. This item (Legistar item 19-2082A) is a request from two residents appealing a dock permit that was issued to their neighbor (Mr. Patel) who lives between them.

On September 30, 2019 a permit was granted to Mr. Patel for a dock replacement. The permit included a variance approval to allow for a longer and slightly wider dock than the one that previously existed. The variance required Mr. Patel to get formal approval from his adjacent neighbors that they agreed with the variance request. Both of his adjacent neighbors signed off on the variance request.

Once construction began on the dock, the neighbors requested the County to rescind their approval for reasons stated in the agenda item. The County's code allows for a 30-day appeal period and the neighbors filed their appeal with that time. The permit also has very clear language on the first page that it is subject to a 30-day appeal period from date of issuance.

The appeal process is a two-step process where the Board of County Commissioners first must approve or deny a request for a public hearing to hear the appeal. The second step is the actual hearing where the Board is presented the appeal for consideration.

Staff has encouraged all parties to try and work out their concerns with each other however they have decided to pursue this option. We have made sure the owner of the dock is aware that an appeal has been filed on his dock permit.

On December 10, 2019 the Board will see the first of this two-step process where the request for a public hearing to appeal to this dock permit will be presented to you for your approval or denial. Since all the appropriate steps were followed to grant this permit, including sign off from the neighbors, staff is recommending that the Board NOT approve the request for a public hearing.

If you have any question or need any more information, please contact Rahim Harji.