



Legislation Details (With Text)

File #: 17-830 **Version:** 2 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 9/14/2017 **In control:** BOARD OF SUPERVISORS

On agenda: 9/26/2017 **Final action:**

Title: 10:00 A.M. - HEARING - Consideration of Appeal of Nuisance Abatement; located at 6825 Virginia, Lucerne (APN 006-342-16 - Dennis Cowels-Property Owner, Ernest Jones-Tenant)

Sponsors: Community Development

Indexes:

Code sections:

Attachments: 1. #17-00451 Scanned NON, 2. #17-00451 Scanned Hearing Request

Date	Ver.	Action By	Action	Result
9/26/2017	2	BOARD OF SUPERVISORS	approved	Pass

MEMORANDUM

TO: Board of Supervisors

FROM: Robert Massarelli, Community Development Director
Kathy Freeman, Code Enforcement Supervisor

PREPARED BY: Michael Penhall, Code Enforcement Officer

SUBJECT: Nuisance Abatement Hearing Request for Dennis Cowles/Ernest Jones

DATE: September 26, 2017

SUMMARY: On September 6, 2017 while investigating complaints in the Lucerne area of Lake County, the Code Enforcement Supervisor noticed a possible unlawful marijuana grow site located at 6825 Virginia Drive, in Lucerne CA. The Code Enforcement Supervisor contacted staff at the Community Development Department office. Staff informed her that according to County records, the above-mentioned address was .158 of an acre and located within a Community Growth Boundary. Staff provided current information on the property owner of record. A Notice and Order to Abate Unlawful Marijuana Cultivation; see Attachment 1 was completed and posted on the property on September 6, 2017.

The posted Notice provided the property owner and/or tenant to abate the unlawful marijuana or request a Public Hearing within 5 business days from the posting of the Notice, as prescribed by the County of Lake Zoning Ordinance, Chapter 21, Article 72. On September 13, 2017 a Nuisance Abatement Hearing Request Form; **see Attachment 2** was received by staff from the tenant; Ernest Jones, which was submitted in a timely manner. The Request Form specified the reason why it is believed that the property is not in violation: **“Very discreet, not many plant, need my medicine”**.

This property is located in the Lucerne Riviera is .158 acres and zoned R1, Single-Family Residential District with a primary residence. The Lake County Zoning Ordinance; Chapter 21, Article 72.5 (b) specifies: **Outdoor cultivation, including cultivation within greenhouses or “hoophouses” is prohibited on any parcel that is located within a Community Growth Boundary as designated by the Lake County General Plan, and on any parcel that is one (1) acre**

or smaller and located outside of any designated Community Growth Boundary.

RECOMMENDED ACTION:

Code Enforcement Staff recommends that the Board uphold the Notice and Order to Abate Unlawful Marijuana Cultivation dated September 6, 2017 and authorize staff to move forward with the abatement process by removal and disposal of the unlawful marijuana located on the aforementioned property.