

DEPARTMENT: Planning

BY: Kris Schenk  
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**RECOMMENDED ACTION AND JUSTIFICATION:** During the past 1½ years the Planning Department, with assistance from County Counsel, has been attempting to obtain compliance with County zoning regulations for a property on Main Street in downtown Coulterville owned by Wayne Scholkowsky. This past fall the Mariposa County Superior Court ordered the owner to clean up his parcel. The most recent inspection determined that compliance has not occurred.

The next, necessary step, assuming that the owner continues to not abate the violations himself, is to authorize the services of an appropriate specialized contractor to remove the illegal materials. Richard Hill Trucking is the only contractor in the Coulterville vicinity that staff has been able to locate with the equipment and expertise to remove the large, illegal storage trailers on the site. It is therefore recommended that the Board approve the proposed contract, attached, with Richard Hill Trucking.

Following the Board of Supervisor's approval of the contract, County Counsel and staff will return to Superior Court. The County will be seeking a judgment to recover the costs of removing the illegal materials, which is estimated to cost \$8,000. These costs will then become the financial responsibility of the property owner.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** The Mariposa County Planning Department supports the activities of a Code Compliance Technician, who investigates and documents reports of zoning violations. Normally the code enforcement officer secures voluntary compliance with County regulations without court intervention. In relatively rare cases, where an owner repeatedly refuses to follow regulatory and court orders, the services of a materials removal contractor may become necessary.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:** The likely alternative to not hiring a contractor to perform these removal services is that the illegal materials will remain, and the County will not have enforced its regulations.

Financial Impact?  Yes  No Current FY Cost: \$ 8,000 Annual Recurring Cost: \$  
 Budgeted In Current FY?  Yes  No  Partially Funded **(Budget action necessary to enable this contract will be brought to this Board as a subsequent agenda item)**

|                            |                  |  |
|----------------------------|------------------|--|
| Amount in Budget:          | \$ _____         | List Attachments, number pages consecutively                                       |
| Additional Funding Needed: | \$ _____         | 1. Proposed contract with Richard Hill Trucking                                    |
| Source:                    |                  |  |
| Internal Transfer          |                  | 2. Memorandum from Mach Myovich, Code Compliance Technician, dated January 5, 2007 |
| Unanticipated Revenue      | _____ 4/5's vote |  |
| Transfer Between Funds     | _____ 4/5's vote |  |
| Contingency                | _____ 4/5's vote |  |
| ( ) General ( ) Other      |                  |  |

**CLERK'S USE ONLY:**

Res. No.: 07-12 Ord. No. \_\_\_\_\_  
 Vote - Ayes: 5 Noes: \_\_\_\_\_  
 Absent: \_\_\_\_\_  
 Approved  
 ( ) Minute Order Attached ( ) No Action Necessary

**COUNTY ADMINISTRATIVE OFFICER:**

Requested Action Recommended  
 No Opinion  
 Comments:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_  
 Attest: MARGIE WILLIAMS, Clerk of the Board  
 County of Mariposa, State of California

By: \_\_\_\_\_  
 Deputy

CAO: 