



Construction Board of Appeals

Agenda Report

Item 4c

For Agenda of: 4/25/2024
Item Number: 4c

FROM: Christine Dietrich, City Attorney
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SUBJECT: UPDATE ON RULING FOR FERRIS VS. CITY OF SAN LUIS OBISPO

RECOMMENDATION

This is an informational presentation and discussion topic only. There is no action within the CBOA's purview to take regarding this matter.

DISCUSSION

The Construction Board of Appeals (CBOA) held several public hearings to determine the validity of staff's findings regarding identified violations and the associated issued citations for a property known as 4080 Horizon. The property owner was cited for altering a creek by building a retaining wall in the channel and for violating creek setback regulations by erecting or placing prohibited structures in a creek setback. These previous public hearings occurred in January 2022, April 2022, and April 2023. The CBOA ultimately upheld staff's findings.

The property owner appealed the CBOA's decision to the County's Superior Court. The City Attorney's Office defended the CBOA's decision in court during the Month of December 2023 and a ruling was recently issued in March 2024. The Superior Court Commissioner upheld the Construction Board of Appeal's decision to uphold the administrative citations against the property owner.