

**SAN JUAN COUNTY  
HEARING EXAMINER**

**FINDINGS, CONCLUSIONS, AND DECISION**

Applicant(s): Rick and Mary Laws  
4760 Woodview Drive  
Santa Rosa, CA 95405

File No.: PCUP00-17-0023

Request: Conditional Use Permit (CUP)

Parcel No.: 350251071

Location: 194 Channel Heights Way, San Juan Island

Summary of Proposal: An application for a conditional use permit to allow vacation rental of a single-family home

Land Use Designation: Rural Residential

Public Hearing: September 27, 2017

Application Policies and Regulations: SJCC 18.40.270 Vacation Rentals  
SJCC 18.80.100(D) CUP Criteria

Decision: Approved subject to conditions

S.J.C. DEPARTMENT OF  
OCT 17 2017  
COMMUNITY DEVELOPMENT

**BEFORE THE HEARING EXAMINER  
FOR SAN JUAN COUNTY**

In the Matter of the Application of )  
 ) NO. PCUP00-17-0023  
**Rick and Mary Laws** )  
 )  
 )  
For approval of a conditional use permit )  
to allow vacation rental of the two )  
bedroom residence at 194 Channel Heights Way )  
San Juan Island )

S.J.C. DEPARTMENT OF  
OCT 17 2017  
COMMUNITY DEVELOPMENT

**SUMMARY OF DECISION**

The request for conditional use permit to authorize the use of the two bedroom residence at 194 Channel Heights Way, San Juan Island as a vacation rental is **APPROVED** subject to conditions.

**SUMMARY OF RECORD**

**Request:**

Rick and Mary Laws (Applicants) requested a conditional use permit to authorize vacation rental use of the two bedroom residence located at 194 Channel Heights Way, San Juan Island.

**Hearing Date:**

The San Juan County Hearing Examiner held an open record public hearing on the request on September 27, 2017.

**Testimony:**

At the open record public hearing, the following individuals presented testimony under oath:

Lee McEnery, Planner, San Juan County Department of Community Development  
Rick Laws, Applicant  
Dave Vandaveer  
Margaret Hope  
Kari McVeigh  
Dan Sorgen  
Lee Hope Betcher  
William Betcher  
Tammy Ashcraft  
James Cox

**Exhibits:**

The following exhibits were admitted in the record:

1. Department of Community Development Staff Report, dated September 6, 2017
2. Application cover sheet, received July 6, 2017
3. Site plan
4. Floor plan
5. Aerial photo site plan
6. Applicant acknowledgement of use-specific vacation rental regulations
7. Septic Design Permit information from San Juan County Health Department
8. Declaration of Covenant of Alternative (Non-Standard) Water Source, recorded under County Auditor File 2017-0703011, on July 3, 2017
9. Posting and notification materials, seven pages, posted on August 4, 2017 and mailed August 10, 2017 and September 5, 2017
10. Public comment letters, 18 pages
11. Email from Planning Staff regarding mailing the legal notice, dated September 5, 2017
12. Email from Applicant regarding second mailing of the legal notice, dated September 5, 2017
13. Ruth Fleming public comment letter
14. Photos submitted by Dave Vandaveer, showing road width in front of his home
15. Christopher Williams public comment letter

Upon consideration of the testimony and exhibits submitted at the open record public hearing, the Hearing Examiner enters the following findings and conclusions:

**FINDINGS**

1. The Applicants requested approval of a conditional use permit to authorize the use of the two bedroom residence located at 194 Channel Heights Way, San Juan Island as a

vacation rental.<sup>1</sup> The parcel is developed with a two bedroom single-family residence and does not have shoreline access. *Exhibits 1, 2, and 3; Rick Laws Testimony.*

2. The subject property has a Rural Residential land use designation. The surrounding neighborhood is rural and residential in nature. The property is located in an older subdivision of small lots, Hillview Terrace, located on the boundary of Friday Harbor on San Juan Island. The parcel abuts residential development in all directions and is not located near an airfield or airport. *Exhibits 1, 2, and 5.*
3. The subject property has existing access from Channel Heights Way, a private road that connects with Roche Harbor Road approximately 0.6 miles southwest of the site via Terrace Drive and Hillview Lane. No changes to the existing site access are proposed or required. *Exhibits 1 and 2; Virtual Site Visit.*
4. The subject property and the rest of the Hillview Terrace subdivision are unusual in that they are located in the County, but their water is supplied by the Town of Friday Harbor. (Residents of San Juan Valley Road and Pear Point also enjoy this privilege.) The Town of Friday Harbor may restrict water use for vacation rentals. The Applicant is obtaining permits from San Juan County Health and Community Services Department to use hauled water for the proposed vacation rental. The subject residence has an on-site sewage system. *Lee McEnery Testimony; Exhibits 1, 7, and 8; Rick Laws Testimony.*
5. Planning Staff submitted that because the subject property is an existing developed site, the proposal is consistent with San Juan County Code (SJCC) Chapter 18.60. *Lee McEnery Testimony; Exhibit 1.*
6. The proposal would allow up to three persons per bedroom at a time to rent the two bedroom residence, for a maximum of six overnight guests at once. The parcel has off-street parking for at least three vehicles. No outdoor advertising signs or food service are proposed. *Exhibits 1, 2, and 3; Rick Laws Testimony.*
7. Planning Staff noted that noise and trespass impacts could be expected to mimic those associated with traditional residential use of the site, and that the potential for disturbance to surrounding properties from temporary occupants could be mitigated by the following measures: restricting the number of vacation rental occupants to three per bedroom; requiring rules of conduct to be posted that specifically prohibit trespass; identification of property lines; providing neighbors with a 24-hour contact phone number; and requiring the contact to keep a written log of complaints. Staff recommended conditions implementing the above measures. *Exhibit 1; Lee McEnery Testimony.*
8. The Applicants would be required to obtain a business license or work through a property management company. *Exhibit 1.*

---

<sup>1</sup> The subject property is known as Assessor Parcel number 350251071. *Exhibit 1.*

9. The application was submitted July 6, 2017 and determined to be complete on the same date. Notice of application was posted on-site on August 4, 2017 and mailed to surrounding property owners on August 10, 2017. Four of the notification letters were returned to the Applicant by the USPS. On September 5, 2017, Staff informed the Applicant that returned letters had been addressed improperly because the Assessor's information was not used and asked whether the Applicant wished to postpone the hearing. Instead, the Applicant re-mailed those four notices on September 6, 2017, providing 21 days of comment to those four recipients. The notice given meets code requirements. *Exhibits 1, 2, 9, 11, and 12; Lee McEnery Testimony.*
10. A notice of application for a conditional use permit to authorize the use of the subject property as a vacation rental was published on August 2, 2017. In response, Staff received negative comments from neighborhood residents. Public comment offered at hearing and written comments offered before and during the hearing expressed the following (paraphrased) concerns:

Concerns regarding commercial use of property in a residential zone:

Many local residents stated the opinion that a vacation rental use is a business use, and that this interpretation is supported by the requirement for a business license to operate a vacation rental and the obligation to pay taxes on vacation rental income. Neighbors felt that approval of this permit would allow an incompatible commercial use of property in a neighborhood zoned for rural residential use. Some commented that there are no other vacation rentals in Hillview Terrace, asserting that approval of the instant proposal would create precedent as the first vacation rental in the neighborhood, trample on the rights of local property owners, and be in violation of HOA restrictions. Many comments expressed the opinion that due the lack of sufficient local long-term rental housing on the island for employees of local businesses and for young people, vacation rental approval would harm the housing market.

Concerns regarding water supply for the vacation rental:

Several people commented that, since the property's water supply comes from the Town of Friday Harbor, which restricts water usage for short term rentals, this CUP application attempts to circumvent the Town's water regulations. One commenter stated that the Town told him someone would come to the subject property, physically turn off the Town water access, and padlock that access if the property was used as a vacation rental. Many residents viewed the application as failing to meet criterion 5 for approval as relating to water supply, which requires adequate facilities. With regard to the Applicant's purchasing and having water hauled to the premises, concern was expressed that such water would be inadequate, that it may be unsafe or insufficient, and that this solution would, again, evade Town water restrictions against short term rentals.

Concerns regarding traffic safety and roadway conditions:

Many residents related concerns about traffic safety on their local, private roads. The roadways in the neighborhood were described in comments as being more than 50% private (open to residents and their guests only), extremely rural, old (built with no subbase and consisting of just asphalt on dirt), often in poor repair (crumbling away on both sides), having insufficient width for even present use, and difficult to navigate. Residents felt that these characteristics, along with concerns about speed limits and street parking, make the local roads unsuitable for vacation rental use. Further, many residents own dogs and walk in the neighborhood, and it was suggested that additional traffic created by people unfamiliar with the roads would significantly add to the number of people pulling into and out of driveways, constituting an “accident waiting to happen”. In their view, this renders the application not in compliance with criterion 7 for approval, which requires that traffic resulting from the conditional use not be hazardous. Lastly, residents commented that the narrow local roads are incapable of supporting the kind of frequent heavy truck traffic that would be involved with hauling in water for the proposed vacation rental. An increased road maintenance burden would result that would have to be carried by the HOA as a whole.

Concerns regarding degradation of / impacts to neighborhood quality:

Neighbors expressed worry about a general loss of community culture that could result from a vacation rental. There is concern that the proposal will result in undue noise, trespassing, security issues, and boisterous or irresponsible renter behavior that is incompatible with the neighborhood’s personality. Residents suggested that, since there aren’t many Sheriff’s deputies available, people won’t call law enforcement with complaints or reports, and neighbors will be left to police vacation rental guests’ behavior themselves. Residents expressed discomfort at not knowing whom they could contact in the event of a problem or who would enforce rules and regulations, stating that HOA CCRs are not capable of dealing with these newly introduced situations. It was suggested that the matter should be delayed until it can be considered under other, future-adopted regulations so that a precedent isn’t set by approval in this case. It was also suggested that this application doesn’t meet the “variance” criteria for approval. Multiple people commented that the property owners should be required to reside in the house or on the island, that the adverse impacts of the proposed conditional use cannot be mitigated, and that the application is not consistent with criteria for approval 3 and 4, which require the use to not have adverse impacts.

*Written comments from Dave Vandaveer, Ruth Fleming, Carolyn Haugen, Dan Sorgen, Michael Devirian, Gary and Shirley Williams, Dan Paulson, Karen and Cynthia McVeigh, Fred and Lori Day, Jeff Rayborn, Fiona Norris, Alexis Kiselyk, Dave Wetzel, Warren Jones, William and Lee Betcher, Bruce Nyden, James Cox, Margaret Hope, and Christopher Williams are included in Exhibits 10, 13, 14, and 15; Testimony of Dave Vandaveer, Margaret Hope, Kari McVeigh, Dan Sorgen, Lee Hope Betcher, William Betcher, Tammy Ashcraft, and James Cox.*

11. Staff responded to resident concerns with the following information.

Vacation rentals are categorized in SJCC 18.40.030 Table 3.2 as “residential”, not commercial. Vacation rentals are a residential use, according to code. Staff indicated that records show approval of two other vacation rentals in Hillview Terrace, 91CU021 for Morgan and 08CU018 for Byers, and that the instant matter, if approved, would not be the first vacation rental in the neighborhood. While public comments suggest there may be private covenants which limit uses in this subdivision, without a regulatory basis for their creation, and lacking participation in creating the restrictions, the County declines to participate in enforcing private restrictions. Planning Staff asserted that the assumption is factually without basis that an unoccupied home would otherwise be rented long-term if not used for vacation rental.

County Health and Community Services Department policy is that existing homes served by water are required to have adequate water for residential use, which includes vacation rental use by definition. The source of the water isn’t pertinent to this CUP application. The County does not participate in enforcing the Town of Friday Harbor’s water regulations, and County approval of a land use permit has no bearing on other permits that may be needed for the instant proposal, such as approval for the use of Town water. The Applicant has obtained alternative water source approval, and that alternative water supply will be managed by San Juan Property Management. The County defers to Health and Community Services on questions of water adequacy; water delivered by water haulers is considered potable by Health and Community Services. The Applicant’s alternate water supply has been approved.

With regard to concerns about traffic safety and neighborhood quality and the question of whether the application meets criteria 3, 4, and 7 for approval, Staff asserts that the rules of conduct given to renters prior to occupancy will address traffic safety, trespass, noise, and behavior concerns, mitigating potential impacts. This application is not subject to variance criteria for approval; it is an application for conditional use. Regarding the adequacy of the roads that access the subject property, Staff submitted that they are adequate for residential traffic, which includes deliveries of all types, garbage removal, among other residential road users.

*Exhibits 1, 6, and 8; Lee McEnery Testimony.*

12. In response to public comment, the Applicant noted that he and his family (who reside in California) have been visiting San Juan County for 12 years. They worked with realtors for six years to find a home on the islands to which they plan to retire. Since purchasing their home, they have leased it for a year and they have also rented month to month to hospital employees. The Applicant indicated that the problem with those arrangements is that they don’t get to use the house when they are able to visit the islands. They have

proposed short term rentals to help pay the mortgage while also being able to use their residence. The Applicant testified that they have every intention of keeping the residence in good condition and have hired a property management company from San Juan Island that has experience managing short term vacation rentals to ensure that impacts to the neighborhood are avoided. *Rick Laws Testimony*.

13. Upon review of the complete application materials, Planning Staff determined that the proposal can comply with all applicable criteria and recommended approval with conditions. *Lee McEnery Testimony; Exhibit 1*. The Applicant waived objection to the recommended conditions. *Rick Laws Testimony*.

## CONCLUSIONS

### **Jurisdiction:**

The Hearing Examiner is granted jurisdiction to hear and decide applications for conditional use permit pursuant to Chapter 36.70.970 of the Revised Code of Washington and Chapters 2.22 and 18.80 of the San Juan County Code.

### **Criteria for Review:**

#### *Conditional Use Permit*

Pursuant to SJCC 18.80.100.D, a conditional use permit shall be granted by the County only if the following criteria are met:

1. The proposed use will not be contrary to the intent or purposes and regulations of this code or the Comprehensive Plan;
2. The proposal is appropriate in design, character, and appearance with the goals and policies for the land use designation in which the proposed use is located;
3. The proposed use will not cause significant adverse impacts on the human or natural environments that cannot be mitigated by conditions of approval;
4. The cumulative impact of additional requests for like actions (the total of the conditional uses over time or space) will not produce significant adverse effects to the environment that cannot be mitigated by conditions of approval;
5. The proposal will be served by adequate facilities including access, fire protection, water, stormwater control, and sewage disposal facilities;
6. The location, size, and height of buildings, structures, walls and fences, and screening vegetation associated with the proposed use shall not unreasonably interfere with allowable development or use of neighboring properties;
7. The pedestrian and vehicular traffic associated with the conditional use will not be hazardous to existing and anticipated traffic in the neighborhood;

8. The proposal complies with the performance standards set forth in Chapter 18.40 SJCC;
9. The proposal does not include any use or activity that would result in the siting of an incompatible use adjacent to an airport or airfield (RCW 36.70.547); and
10. The proposal conforms to the development standards in Chapter 18.60 SJCC.

*Vacation Rental Standards*

Pursuant to SJCC 18.40.270, the following standards apply to all vacation rentals of single-family residential units and accessory dwelling units or portions thereof:

- A. No more than three overnight guests per bedroom shall be accommodated at any one time.
- B. The vacation rental of a principal residence or accessory dwelling unit shall be operated in a way that will prevent unreasonable disturbances to area residents.
- C. At least one additional off-street parking space shall be provided for the vacation rental use in addition to the parking required for the residence or accessory dwelling unit.
- D. If any food service is to be provided the requirements for a bed and breakfast residence must be met.
- E. No outdoor advertising signs are allowed.
- F. The owner or a long-term lessee may rent either the principal residence or the accessory dwelling unit on a short-term basis (vacation rental), but not both.
- G. Where there are both a principal residence and an accessory dwelling unit, the owner or long-term lessee must reside on the premises, or one of the living units must remain unrented.
- H. In all activity center land use districts, rural residential, and conservancy land use districts, the vacation rental of a residence or accessory dwelling unit may be allowed by provisional ("Prov") permit only if the owner or lessee demonstrates that the residence or accessory dwelling unit in question was used for vacation rental on or before June 1, 1997. When internal land use district boundaries are adopted for an activity center, this provision will apply to VR and HR districts but not to the activity center in general.
- I. Vacation rental accommodations must meet all local and state regulations, including those pertaining to business licenses and taxes.
- J. Owners of vacation rentals must file with the administrator a 24-hour contact phone number.

- K. The owner or lessee of the vacation rental shall provide notice to the tenants regarding rules of conduct and their responsibility not to trespass on private property or to create disturbances. If there is an easement that provides access to the shoreline, this shall be indicated on a map or the easement shall be marked; if there is no access, this shall be indicated together with a warning not to trespass.
- L. Detached accessory dwelling units established under SJCC 18.40.240 cannot be separately leased or rented for less than 30 days.

**Conclusions Based on Findings:**

1. As conditioned, the proposed vacation rental would be consistent with applicable provisions of the SJCC and the Comprehensive Plan. The use would occupy an existing residence without altering the appearance of the structure. Conditions would ensure that even when rented it continues to function like a residence. No adverse cumulative environmental impacts are suggested by the record in the event of additional vacation rental request approvals. As conditioned, the proposal would comply with the applicable standards of sections 18.40 and 18.60 of the SJCC, ensuring that the use is served by adequate services and facilities. Potential adverse impacts of the vacation rental on neighboring properties would be mitigated by conditions requiring rules of conduct prohibiting trespass, clear presentation of property boundaries to renters, and a 24-hour contact for neighbor complaints (among other requirements). Pedestrian and vehicular traffic would be consistent with that expected of a typical residence. A condition of approval will be added to direct the Applicants to include warning and instruction language in the rental rules of conduct to ensure guests are informed in advance of the requirements of driving on the subdivision's specific roadways. There is no airfield adjacent to this property. *Findings 1, 2, 3, 4, 5, 6, 7, 9, and 10.*
2. Regarding the use-specific requirements of SJCC 18.40.270, conditions of approval would limit rental occupancy to six people. The County has no jurisdiction over the Applicants' use of Town of Friday Harbor water. The proposed alternative water source has been approved by the County as an acceptable residential potable water supply. The property has an on-site sewage system. Conditions would require a minimum of three off-street parking spaces be provided on-site during all vacation rental use. No outdoor advertising, food service, or accessory dwelling unit are proposed. Potential noise, trespass, and parking impacts to surrounding parcels would be mitigated through conditions requiring posted rules of conduct, identification of property boundaries, provision of a 24-hour contact phone number, and the requirement for the contact to maintain a log of complaints. The rules of conduct would specifically be required to prohibit trespass. Conditions would ensure that the Applicants obtain a business license or work through a property management company. *Findings 1, 4, 6, 7, 8, and 10.*
3. San Juan County Comprehensive Plan Section B.2.2(A)(12) states that short term rental (i.e., of less than thirty days) of a principal, single-family residential unit or an accessory dwelling unit should be subject to standards similar to those for hospitality commercial establishments but should be classified as a residential use for purposes of land use

regulation. Vacation rentals are an allowed residential use in the Rural Residential land use designation, subject to CUP approval. *SJCC Table 18.30.040*. Planning Staff testified that vacation rental proposals have consistently been considered and treated as residential uses by the County, in accordance with these provisions. This interpretation has been upheld by Washington courts in a case in which members of a homeowners association challenged a vacation rental use as a commercial use prohibited by restrictive covenants. In *Ross v. Bennett*, Division 1 of the Washington Court of Appeals held: "Renting the ... home to people who use it for the purposes of eating, sleeping, and other residential purposes is consistent with the plain language of the ... Covenant. The transitory or temporary nature of such use by vacation renters does not defeat the residential status."<sup>2</sup> *Ross v. Bennett*, 148 Wn.App. 40, 51-52 (2008); *San Juan County Comprehensive Plan Section B.2.2(A)(12)*; *Lee McEnery Testimony*.

4. Project opponents seek to deny a use that is allowed. The proper venue for their concerns is the legislative process, as new regulations are drafted. In Washington, land use applications are reviewed under the regulations in effect on the date a complete application is submitted. In the absence of a land use moratorium<sup>3</sup> enacted by the County Council, the County's refusal to process a complete land use application and timely issue a decision would be a violation of the requirements of RCW Chapter 36.70B and of the Applicants' rights to use their property, which could open the County to liability. Neighboring property owners are understandably concerned about changes to the neighborhood. However, aside from their statements, there is no evidence in the record to substantiate that their concerns are more than speculative, and that the impacts they envision cannot be adequately mitigated by conditions of approval. While opposition in the community may be given substantial weight, Washington courts have repeatedly held that it alone cannot justify a local land use decision.<sup>4</sup> The application materials demonstrate compliance with the criteria for conditional use permit approval as well as with the use-specific criteria for vacation rentals. The application must be approved. *Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.*

/

/

/

/

---

<sup>2</sup> The undersigned notes that *Ross v. Bennett* has not received negative treatment in any subsequent cases.

<sup>3</sup> A land use moratorium is a local enactment which temporarily suspends landowners' right to obtain a specific kind of development approval while the community considers and potentially adopts changes to its land use regulations to address new circumstances not addressed by its current laws. *See RCW 36.70A.390*.

<sup>4</sup> *Sunderland Servs. v. Pasco*, 127 Wn.2d 782, 797 (1995); *Maranatha Mining, Inc. v. Pierce County*, 59 Wn. App. 795, 805 (1990); *Kenart & Assocs. v. Skagit County*, 37 Wn. App. 295, 303, review denied, 101 Wn.2d 1021 (1984).

## DECISION

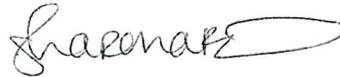
Based on the preceding findings and conclusions, the request for conditional use permit to authorize the use of the two bedroom residence at 194 Channel Heights Way, San Juan Island as a vacation rental is **APPROVED** subject to the following conditions:

1. The two bedroom vacation rental shall be operated as described in the application materials except as modified by these conditions
2. The residence may be rented as a single unit on a short term basis for periods of less than 30 days. A maximum of six overnight guests shall occupy the vacation rental at any one time.
3. No food service is to be provided. No outdoor advertising signs are allowed. A minimum of two off-street parking spaces shall be provided on-site at all times while the vacation rental is in use.
4. The rental must meet all local and state regulations, including those pertaining to business licenses and taxes. Since the County is not a party to private covenants, it is not in a position to enforce private covenants between property owners that may prohibit use of a residence as a vacation rental. However, issuance of a permit for a vacation rental does not license the owner to violate private covenants and restrictions.
5. No use of the property shall be made that produces unreasonable vibration, noise, dust, smoke, odor, or electrical interference to the detriment of adjoining properties.
6. The Applicants shall provide copies of this decision to property owners within 300 feet of the subject property, along with a 24-hour local contact phone number, so that complaints can be dealt with in a timely manner. A log of complaints shall be kept by the contact and provided to the Department of Community Development upon request.
7. Written rules of conduct shall be submitted to the Department of Community Development before rentals commence. These rules shall include warning and instruction language informing guests of the requirements of driving on the subdivision's specific roadways, including speed limits, topographical features of concern, caution to watch for walkers and vehicles exiting driveways, and any other pertinent information that a guest to the area should have to ensure safe driving. The finally approved rules of conduct shall be posted in the vacation rental, distributed in advance to all renters, and sent to all owners of property within 300 feet of the site boundaries.
8. If the conditions of approval are not complied with, the resulting impacts may change a typical residential area to one with frequent incidents of trespass, noise, and traffic from strangers who have no investment in maintaining civil relations with neighbors. For this reason, it is emphasized that failure to comply with conditions of approval is grounds for revocation of this permit.

9. Upon determination by the Director of the Department of Community Development that any condition listed above has been violated, following issuance of a Notice of Violation, the Director may, in addition to his other code enforcement remedies, revoke the conditional use permit.

**Decided October 16, 2017.<sup>5</sup>**

By:



---

Sharon A. Rice  
San Juan County Hearing Examiner

#### **Effective Date, Appeal Right, and Valuation Notices**

Hearing examiner decisions become effective when mailed or such later date in accordance with the laws and ordinance requirements governing the matter under consideration. SJCC 2.22.170. Before becoming effective, shoreline permits may be subject to review and approval by the Washington Department of Ecology pursuant to RCW 90.58.140, WAC 173-27-130 and SJCC 18.80.110.

This land use decision is final and in accordance with Section 3.70 of the San Juan County Charter. Such decisions are not subject to administrative appeal to the San Juan County Council. See also, SJCC 2.22.100.

Depending on the subject matter, this decision may be appealable to the San Juan County Superior Court or to the Washington State Shorelines Hearings Board. State law provides short deadlines and strict procedures for appeals and failure to timely comply with filing and service requirements may result in dismissal of the appeal. See RCW 36.70C and RCW 90.58. Persons seeking to file an appeal are encouraged to promptly review appeal deadlines and procedural requirements and consult with a private attorney.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

---

<sup>5</sup> This decision was initially issued October 11, 2017 but due to technical difficulties undiscovered until October 16<sup>th</sup>, is being reissued with a revised decision issuance date on October 16, 2017.