



DEPARTMENT OF ENVIRONMENTAL RESOURCES
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STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

MINUTES

REGULAR MEETING

AUGUST 25, 2005

I. ROLL CALL: Meeting called to order at 6:00 p.m.

Present: Chair Jim Poore, Marie Assali and Mickey Peabody, Public Member-At-Large

Absent: None

Staff

Present: Ed Burroughs, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Janice McClendon, Zoning Enforcement Officer; Robert Miramontes, Zoning Enforcement Officer; Pamela Lial, Zoning Enforcement Officer; and Jan Simpson, Administrative Secretary for the Code Enforcement Unit

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

- A. July 28, 2005
Assali/Poore, (2-0), **APPROVED**
Peabody abstained.

IV. MATTERS OF INTEREST FROM THE CODE ENFORCEMENT MANAGER

Item A., CE05-1556 at 300 E. Barnhart Road, Ceres, Item D., CE05-1983 at 3608 Tamarack Avenue, Ceres, Item I., CE05-1395 at 2330 Torrid Avenue, Modesto and Item J., CE05-1762 at 4204 Warda Avenue, Keyes to be pulled from the consent calendar for a public hearing.

The Agenda reads Item E. CE05-1858 at 133 S. Missouri Avenue, Waterford. It should read 113 S. Missouri Avenue, Waterford. Remove Item E., CE05-1858 at 113 Missouri Avenue, Waterford. The owner is in compliance.

V. CORRESPONDENCE

The Commissioners were notified that correspondence was received and placed before them this evening.

VI. CONFLICT OF INTEREST DECLARATION

Commissioner Assali has a conflict of interest on Item F., CE05-1854 at 4342 Geer Road, Hughson and she will be stepping down.

VII. PUBLIC ABATEMENT HEARINGS (Consent Items)

Chair Jim Poore informed the public of the consent items and procedure.
Public hearing opened.
Public hearing closed.

CONSENT ITEMS

- A. ABATEMENT HEARING REGARDING CE NO. 05-1556 AT 300 E BARNHART ROAD, CERES**
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS BASED ON THE STAFF REPORT.**
Gordon Runner, 6812 Crows Landing, Ceres voiced his concerns regarding this nuisance property.
- B. ABATEMENT HEARING REGARDING CE NO. 05-1295 AT 13949 CARPENTER ROAD, CROWS LANDING**
Hearing continued from August 25, 2005 to September 22, 2005 at the request of Michael Newton, Code Enforcement Manager.
- C. ABATEMENT HEARING REGARDING CE NO. 04-2713 AT 3430 MOORE ROAD, CERES**
Peabody/Assali, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- D. ABATEMENT HEARING REGARDING CE NO. 05-1983 AT 3608 TAMARACK AVENUE, CERES**
Removed for public hearing.
Staff report: Robert Miramontes Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: William Irving (Exhibit A thru A-3).
FAVOR: No one spoke.
Public hearing closed.
Peabody/Assali, Unanimous (3-0), **RECOMMENDS CONTINUANCE UNTIL SEPTEMBER 22, 2005.**
- E. ABATEMENT HEARING REGARDING CE NO. 05-1858 AT 113 S. MISSOURI AVENUE, WATERFORD**
Removed from the calendar at the request of Michael Newton, Code Enforcement Manager, owner complied with the ordinance.

COMMISSIONER ASSALI STEPPED AWAY FROM THE DAIS.

- F. ABATEMENT HEARING REGARDING CE NO. 05-1854 AT 4342 GEER ROAD, HUGHSON**
Removed for public hearing.
Staff report: Michael Newton Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Francisco Resendiz.
FAVOR: No one spoke.
Public hearing closed.
Peabody/Poore, (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

COMMISSIONER ASSALI RETURNED TO THE DAIS.

- G. ABATEMENT HEARING REGARDING CE NO. 04-3637 AT 5859 MILNES ROAD, MODESTO**
Peabody/Assali, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- H. ABATEMENT HEARING REGARDING CE NO. 04-3181 AT 13837 HORSESHOE ROAD, OAKDALE**
Peabody/Assali, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- I. ABATEMENT HEARING REGARDING CE NO. 05-1395 AT 2330 TORRID AVENUE, MODESTO**
Removed for public hearing.
Staff report: Pamela Lial Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Margo Temple, 2330 Torrid Avenue, Modesto.
Bruce Temple, 2330 Torrid Avenue.
FAVOR: Michael O'Connor, 2311 Torrid Avenue.
Paula O'Connor, 2311 Torrid Avenue.
Public hearing closed.
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- J. ABATEMENT HEARING REGARDING CE NO. 05-1762 AT 4204 WARDA AVENUE, KEYES**
Removed for public hearing.
Staff report: Pamela Lial Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Phil Castor, 4204 Warda Avenue.
FAVOR: No one spoke.
Public hearing closed.
Peabody/Assali, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- K. ABATEMENT HEARING REGARDING CE NO. 05-663 AT 4818 ZINFANDEL AVENUE, SALIDA**
Peabody/Assali, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- L. ABATEMENT HEARING REGARDING CE NO. 05-236 AT 913 WHEATLEY AVENUE, MODESTO**
Peabody/Assali, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

VIII. ADDITIONAL MATTERS AT DISCRETION OF CHAIRPERSON
None

IX. OTHER MATTERS OF INTEREST
None

X. MEETING ADJOURNED AT 7:10 P.M.

Michael Newton, Code Enforcement Manager

(The above is a summary of the minutes of the Nuisance Abatement Hearing Board. Complete tape(s)/DVD(s) of the meeting are available from the Department of Environmental Resources Director).