



DEPARTMENT OF ENVIRONMENTAL RESOURCES  
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## STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

### MINUTES

REGULAR MEETING

OCTOBER 27, 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: Jack Doering, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Janice McClendon, Zoning Enforcement Officer; Pamela Lial, Zoning Enforcement Officer; Ginny Thomas, Zoning Enforcement Officer; Michael Sonke, Zoning Enforcement Officer; and Jan Simpson, Administrative Secretary for the Code Enforcement Unit

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

A. September 22, 2005  
Assali/Peabody, (3-0), **APPROVED**

**IV. MATTERS OF INTEREST FROM THE CODE ENFORCEMENT MANAGER**

Item B., CE04-4122 at 8831 Rodden Road, Oakdale, Item C., CE05-997 at 7185/7189 Richardson Road and 4966 Webster Avenue, Oakdale, Item H., CE05-1543 at 1406 South Avenue, Modesto and Item I., CE05-1357 at 1828 Ohio Avenue, Modesto to be pulled from the consent calendar for a public hearing. Remove Item K., CE05-2338 at 2725 E. Linwood Avenue, Turlock. The owner is in compliance.

**V. CORRESPONDENCE**

A copy of the letter dated October 19, 2005 to the Turlock Sportsmen's Club at 13949 Carpenter Road, Modesto, California had been mailed to the Commissioners.

**VI. CONFLICT OF INTEREST DECLARATION**

Mickey Peabody has a conflict of interest on Item B., CE04-4122 at 8831 Rodden Road in Oakdale and she will be stepping away from the dais.

**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. 05-1701 AT 315 E STREET, EMPIRE**

Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

**MICKY PEABODY STEPPED AWAY FROM THE DAIS.**

**B. ABATEMENT HEARING REGARDING CE NO. 04-4122 AT 8831 RODDEN ROAD, OAKDALE**

Removed for public hearing.

Staff report: Janice McClendon Recommends **APPROVAL.**

Public hearing opened.

**OPPOSITION:** Roger Renslow.

Mike Kohler, 8801 Rodden Road.

**FAVOR:** No one spoke.

Public hearing closed.

Assali/Poore, Unanimous (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

**MICKY PEABODY RETURNED TO THE DAIS.**

**C. ABATEMENT HEARING REGARDING CE NO. 05-997 AT 7185/7189 RICHARDSON ROAD & 4966 WEBSTER AVENUE, OAKDALE**

Removed for public hearing.

Staff report: Janice McClendon Recommends **APPROVAL.**

Public hearing opened.

**OPPOSITION:** Dennis Smith.

Lorraine Van Elswyk (Exhibit A thru A-6).

Wayne Spencer.

**FAVOR:** No one spoke.

Public hearing closed.

Peabody/Assali, Unanimous (3-0), **RECOMMENDS CONTINUANCE TO JANUARY 26, 2006.**

**D. ABATEMENT HEARING REGARDING CE NO. 05-1180 AT 1628 GLENN AVENUE, MODESTO**

Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

Reopened for public hearing that was previously passed as a consent item.

Staff report: Ginny Thomas Recommends **APPROVAL.**

Public hearing opened.

**OPPOSITION:** Juan Guerrero, 1628 Glenn Avenue.

**FAVOR:** No one spoke.

Public hearing closed.

Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

- E. **ABATEMENT HEARING REGARDING CE NO. 05-1879 AT 1809 DENVER STREET, MODESTO**  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- F. **ABATEMENT HEARING REGARDING CE NO. 05-2221 AT 1201 INYO AVENUE, MODESTO**  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- G. **ABATEMENT HEARING REGARDING CE NO. 05-2513 AT 720 LASSEN AVENUE, MODESTO**  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- H. **ABATEMENT HEARING REGARDING CE NO. 05-1543 AT 1406 SOUTH AVENUE, MODESTO**  
Removed for public hearing.  
Staff report: Pamela Lial Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** No one spoke.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- I. **ABATEMENT HEARING REGARDING CE NO. 05-1357 AT 1828 OHIO AVENUE, MODESTO**  
Removed for public hearing.  
Staff report: Pamela Lial Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Joe Pfeifer.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- J. **ABATEMENT HEARING REGARDING CE NO. 05-1667 AT 2230 GOLF ROAD, TURLOCK**  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- K. **ABATEMENT HEARING REGARDING CE NO. 05-2338 AT 2725 E. LINWOOD AVENUE, TURLOCK**  
Michael Newton, Code Enforcement Manager requests that this case be removed from the calendar. The owner is in compliance.  
Assali/Peabody, Unanimous (3-0), **GRANTS REMOVAL FROM THE CALENDAR.**

- L. **ABATEMENT HEARING REGARDING CE NO. 05-2065 AT 4813 MC HENRY AVENUE, MODESTO**  
Assali/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
  
- M. **BILLING HEARING REGARDING CE NO. 04-787 AT 5400 PIONEER ROAD, HUGHSON**  
Assali/Peabody, Unanimous (3-0), **BILLING APPROVED AS REASONABLE, 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 7:26 P.M.**

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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).