



STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

MINUTES

REGULAR MEETING

FEBRUARY 23, 2006

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

Present: Chair Jim Poore, Allen Layman and Mickey C. Peabody, Public Member-At-Large

Absent: None

Staff

Present: Ed Burroughs, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Ginny Thomas, Zoning Enforcement Officer; Pamela Lial, Zoning Enforcement Officer; Robert Miramontes, Zoning Enforcement Officer; Tod Woodward, Zoning Enforcement Officer; Janice McClendon, Zoning Enforcement Officer; Michael Sonke, Zoning Enforcement Officer; and Jan Simpson, Department of Environmental Resources Administrative Secretary

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

A. January 26, 2006
Peabody/Layman, (3-0), **APPROVED**

IV. MATTERS OF INTEREST FROM THE CODE ENFORCEMENT MANAGER

Item B., CE05-2734 at 2030 Claribel Road, Modesto has an incorrect case number on the Staff Report. The case number should be CE05-2734. Representatives from the Planning Department, Building Department, Environmental Health and Code Enforcement met with the owner to discuss the use permit for this property. The Planning Department will be mailing a letter to the owner. Item J., CE04-2056 at 3730 Dakota Avenue, Modesto and Item K., 05-2862 at 4913 Sun Valley Drive, Salida on the non-consent calendar should read, Appeal of Administrative Citation. Remove Item G., CE05-3017 at 1102 Faustina Avenue, Modesto, Item H., CE05-2867 at 4406 Elm Street, Salida and Item I., CE05-997 at 7185/7189 Richardson Road & 4966 Webster Avenue, Oakdale. The owners are in compliance.

The following cases were forwarded to the Board of Supervisors on February 14, 2006: 3730 Dakota Avenue, Modesto, 1500 Eureka Street, Modesto, 510 Hatch Road, Modesto, 401 Imperial Avenue, Modesto, Maze & Spencer, Modesto, 442 Olivero Road, Modesto and 531 Sutter Avenue, Modesto.

V. CORRESPONDENCE

None

VI. CONFLICT OF INTEREST DECLARATION

None

VII. PUBLIC HEARINGS (*NON-CONSENT)

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. 04-740 AT 5601 TERMINAL AVENUE, RIVERBANK

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

B. ABATEMENT HEARING REGARDING CE NO. 05-2734 AT 2030 CLARIBEL ROAD, MODESTO

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

C. ABATEMENT HEARING REGARDING CE NO. 05-2507 AT 2769 W. WHITMORE AVENUE, MODESTO

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

***D. ABATEMENT HEARING REGARDING CE NO. 05-2898 AT 1231 LASSEN AVENUE, MODESTO**

Removed for public hearing.

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

Public hearing opened.

OPPOSITION: Frank Cole, P.O. Box 62, Ballico, California.

FAVOR: No one spoke.

Public hearing closed.

Peabody/Layman, Unanimous (3-0), **GRANTS CONTINUANCE UNTIL MARCH 23, 2006.**

E. ABATEMENT HEARING REGARDING CE NO. 05-2917 AT 3007 E. TUOLUMNE ROAD, TURLOCK

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

F. ABATEMENT HEARING REGARDING CE NO. 05-2967 AT 3500 S. WALNUT ROAD, TURLOCK

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

G. ABATEMENT HEARING REGARDING CE NO. 05-3017 AT 1102 FAUSTINA AVENUE, MODESTO

Removed from the calendar at the request of Michael Newton, Code Enforcement Manager, owner complied with the ordinance.

H. ABATEMENT HEARING REGARDING CE NO. 05-2867 AT 4406 ELM STREET, SALIDA

Removed from the calendar at the request of Michael Newton, Code Enforcement Manager, owner complied with the ordinance.

***NON-CONSENT ITEMS**

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

Removed from the calendar at the request of Michael Newton, Code Enforcement Manager, owner complied with the ordinance.

***J. APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 04-2056 AT 3730 DAKOTA AVENUE, MODESTO**

Staff report: Tod Woodward Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Larry Turner, 3730 Dakota Avenue.

FAVOR: No one spoke.

Public hearing closed.

MR. TURNER WITHDRAWS THE APPEAL.

***K. APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 05-2862 AT 4913 SUN VALLEY DRIVE, SALIDA**

Staff report: Tod Woodward Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: Shawn Howard, 4913 Sun Valley Drive, Salida, California.

FAVOR: No one spoke.

Public hearing closed.

Layman/Peabody, Unanimous (3-0), **DENIED THE APPEAL.**

***L. ABATEMENT HEARING REGARDING CE NO. 05-3050 AT 1221 MAIN STREET, MODESTO**

Staff report: Robert Miramontes Recommends **APPROVAL**.

Public hearing opened.

OPPOSITION: No one spoke.

FAVOR: No one spoke.

Public hearing closed.

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

VIII. ADDITIONAL MATTERS AT DISCRETION OF CHAIRPERSON

None

IX. MEETING ADJOURNED AT 7:05 P.M.

Michael Newton, Code Enforcement Manager

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