



## STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

### MINUTES

REGULAR MEETING

APRIL 26, 2007

**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: Tom Boze, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Stefanie Voortman, Zoning Enforcement Officer; Robert Miramontes, Zoning Enforcement Officer; Tod Woodward, Zoning Enforcement Officer; and Jan Simpson, Department of Environmental Resources Administrative Secretary

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

A. March 22, 2007  
Peabody/Layman, (3-0), **APPROVED**

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

Item A., CE06-534 at 1937 Kenneth Street, Modesto and Item D., CE07-43 at 1701 S. Golden State Boulevard, Turlock to be pulled, the owners are in compliance.

Item B., CE07-3 at 5313 S. Commons Road, Turlock to be pulled, they have submitted an application for a use permit to the Planning Department.

Item F., CE06-314 at 5235 Avenue B, Modesto to be pulled from the consent calendar for a public hearing.

The following cases were forwarded to the Board of Supervisors on April 17, 2007:  
117 Church Street, Empire; 1513 El Dorado Avenue, Modesto; 411 Kerr Avenue, Modesto;  
1513 Modoc Avenue, Modesto and 5328 7<sup>th</sup> Street, Keyes.

Item C., CE07-40 at 1347 N. Carpenter Road, Modesto at the request of Michael Newton, Code Enforcement Manager will be forwarded to the Board of Supervisors on May 8, 2007 if found to be a nuisance tonight.

**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. 06-534 AT 1937 KENNETH STREET, MODESTO**  
Michael Newton, Code Enforcement Manager requests that this case be removed from the calendar. The owner is in compliance.
- B. ABATEMENT HEARING REGARDING CE NO. 07-3 AT 5313 S. COMMONS ROAD, TURLOCK**  
Michael Newton, Code Enforcement Manager requests that this case be removed from the calendar. The owner has submitted an application for a use permit to the Planning Department.
- \*C. ABATEMENT HEARING REGARDING CE NO. 07-40 AT 1347 N. CARPENTER ROAD, MODESTO**  
Removed for public hearing.  
Staff report: Tod Woodward Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Deepak Paul Singh.  
Promila Paul, 1541 Rosemore Avenue.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Peabody/Layman, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- D. ABATEMENT HEARING REGARDING CE NO. 07-43 AT 1701 S. GOLDEN STATE BOULEVARD, TURLOCK**  
Michael Newton, Code Enforcement Manager requests that this case be removed from the calendar. The owner is in compliance.
- E. ABATEMENT HEARING REGARDING CE NO. 07-37 AT 503 S. SANTA CRUZ AVENUE, MODESTO**  
Layman/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

**\*F. ABATEMENT HEARING REGARDING CE NO. 06-314 AT 5235 AVENUE B, MODESTO**

Removed for public hearing.

Staff report: Stefanie Voortman Recommends **APPROVAL**.

Public hearing opened.

**OPPOSITION:** Danny Morrison (Exhibit A thru A-6)

John Francis, 5200 Avenue A.

Cindy Francis, 5200 Avenue A.

Fred Avila.

**FAVOR:** No one spoke.

Public hearing closed.

**AT THE REQUEST OF MICHAEL NEWTON, THE DEPARTMENT OF ENVIRONMENTAL RESOURCES IS WITHDRAWING THEIR COMPLAINT AND WILL BRING BACK TO THIS BOARD WITHIN 30 DAYS IF THE OWNER IS NOT IN COMPLIANCE WITH VIOLATIONS 1 AND 2. VIOLATIONS 3 THROUGH 7 ARE IN COMPLIANCE.**

**G. BILLING HEARING REGARDING CE NO. 06-669 AT 1501 CRAWFORD ROAD, MODESTO**

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

**VIII. ADDITIONAL MATTERS AT DISCRETION OF CHAIRPERSON**

None

**IX. MEETING ADJOURNED AT 7:12 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) of the meeting are available from the Department of Environmental Resources Director).