



STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

MINUTES

REGULAR MEETING

JANUARY 25, 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:

Staff

Present: Tom Boze, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Ginny Thomas, Zoning Enforcement Officer; Janice McClendon, Zoning Enforcement Officer; Stefanie Voortman, 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. December 14, 2006
Peabody/Layman, (3-0), **APPROVED**

IV. MATTERS OF INTEREST FROM THE CODE ENFORCEMENT MANAGER

The following cases were forwarded to the Board of Supervisors on January 16, 2007: 5348 Avenue D, Modesto, 120 Barozzi Avenue, Modesto, 1501 Crawford Road, Modesto and 1949 Crows Landing Road, Modesto.

Remove Item H., CE06-448 at 5354 Avenue D, Modesto. The owner is in compliance. Item B., CE06-696 at 901 S. West Avenue, Turlock, Item C., CE06-697 at 1000 S. West Avenue, Turlock, Item D., CE06-698 at 1100 S. West Avenue, Turlock, Item E., CE06-694 at 1101 S. West Avenue, Turlock and Item F., CE06-699 at 1148 S. West Avenue, Turlock to be pulled from the consent calendar for a public hearing and will be heard collectively.

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. 06-705 AT 5570 8TH STREET, KEYES**
Layman/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- *B. ABATEMENT HEARING REGARDING CE NO. 06-696 AT 901 S. WEST AVENUE, TURLOCK**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL.**
Public hearing opened.
OPPOSITION: None
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- *C. ABATEMENT HEARING REGARDING CE NO. 06-697 AT 1000 S. WEST AVENUE, TURLOCK**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL.**
Public hearing opened.
OPPOSITION: None
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- *D. ABATEMENT HEARING REGARDING CE NO. 06-698 AT 1100 S. WEST AVENUE, TURLOCK**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL.**
Public hearing opened.
OPPOSITION: Martin Franco, 1100 S. West Avenue (Exhibit A thru A-4).
Steve Talkington, 1100, 1156 and 1108 Mae Street.
Mike Summerlot, 634 Williams Avenue.
FAVOR: None.
Public hearing closed.
Peabody, Layman, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

- *E. **ABATEMENT HEARING REGARDING CE NO. 06-694 AT 1101 S. WEST AVENUE, TURLOCK**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Francisco Lopez, 1101 West Avenue South.
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- *F. **ABATEMENT HEARING REGARDING CE NO. 06-699 AT 1148 S. WEST AVENUE, TURLOCK**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- G. **ABATEMENT HEARING REGARDING CE NO. 04-1689 AT 722 S. 1ST STREET, TURLOCK**
Layman/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- H. **ABATEMENT HEARING REGARDING CE NO. 06-448 AT 5354 AVENUE D, MODESTO**
Removed from the calendar at the request of Michael Newton, Code Enforcement Manager, owner complied with the ordinance.
- I. **ABATEMENT HEARING REGARDING CE NO. 06-485 AT 5345 CLARK STREET, KEYES**
Layman/Peabody, Unanimous (3-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- *J. **ABATEMENT HEARING REGARDING CE NO. 06-249 AT 105 ORCHARD ROAD, VERNALIS**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Billy Lopez, 105 Orchard Road.
FAVOR: None.
Public hearing closed.
Peabody/Layman, Unanimous (3-0), **AMENDED THE DECISION AND FOUND ITEM 4. (2, 5 AND 7) IN VIOLATION AND ITEMS 1. 2. AND 3. IN COMPLIANCE AND RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**

- *K. **APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 06-249 AT 105 ORCHARD ROAD, VERNALIS**
Removed for public hearing.
Staff report: Ginny Thomas Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION:
FAVOR: None.
Public hearing closed.
Layman/Peabody, Unanimous (3-0), **DENIED THE APPEAL**.
- *L. **APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 06-667 AT 10866 CLEVELAND AVENUE, OAKDALE**
Removed for public hearing.
Staff report: Janice McClendon Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: Dennis Wilson, 909 14th Street, Modesto.
FAVOR: None.
Public hearing closed.
Layman/Peabody, Unanimous (3-0), **CASE CONTINUED UNTIL THE NEXT NUISANCE ABATEMENT HEARING ON FEBRUARY 22, 2007**.
- *M. **BILLING HEARING REGARDING CE NO. 04-323 AT 201 COWAN STREET, MODESTO**
Removed for public hearing.
Staff report: Stefanie Voortman Recommends **APPROVAL**.
Public hearing opened.
OPPOSITION: None.
FAVOR: None.
Public hearing closed.
Layman/Peabody, Unanimous (3-0), **BILLING APPROVED AS REASONABLE, RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS**.
- VIII. **ADDITIONAL MATTERS AT DISCRETION OF ACTING CHAIRPERSON**
None
- IX. **MEETING ADJOURNED AT 7:42 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).