



## STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

### MINUTES

REGULAR MEETING

JUNE 28, 2007

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

Present: Vice-Chair Allen Layman and Arsenio Mataka

Absent: Chair Jim Poore and Mickey C. Peabody, Public Member-At-Large

Staff

Present: Tom Boze, Deputy County Counsel; Michael Newton, Code Enforcement Manager; Janice McClendon, Zoning Enforcement Officer; Tod Woodward, Zoning Enforcement Officer; Ginny Thomas, Zoning Enforcement Officer; Pamela Lial, Zoning Enforcement Officer; Stefanie Voortman, Zoning Enforcement Officer; and Jan Simpson, Department of Environmental Resources Administrative Secretary

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

A. May 24, 2007  
Mataka/Layman, (2-0), **APPROVED**

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

Effective July 26, 2007, the NAHB members will be rotating. Allen Layman will be Chair, Marie Assali will be Vice-Chair, Mickey Peabody will be the Public Member-At-Large and Arsenio Mataka will be an alternate.

CE06-314 at 5235 Avenue B, Modesto is now in compliance.

CE06-771 at 1925 Kenneth Street will be continued until July 26, 2007.

Item C., CE06-598 at 5043 Faith Home Road, Turlock and Item D., CE07-12 at 3342 Maze Boulevard, Modesto wish to be heard this evening.

The following cases were forwarded to the Board of Supervisors and approved on June 19, 2007: 1513 El Dorado Avenue, Modesto; 8511 Highway 33, Westley; 0 Kern Street, Westley and 5400 Pioneer Road, Hughson.

**V. CORRESPONDENCE**

None

**VI. CONFLICT OF INTEREST DECLARATION**

None

**VII. PUBLIC HEARINGS (\*NON-CONSENT)**

Vice-Chair Layman informed the public of the consent items and procedure.

Public hearing opened.

Public hearing closed.

**CONSENT ITEMS**

- \*A. ABATEMENT HEARING REGARDING CE NO. 06-779 AT 517 LEON AVENUE, MODESTO**  
Removed for public hearing.  
Staff report: Pamela Lial Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Gerry Espinoza, 5316 La Mirada Way, Stockton, California.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Mataka/Layman, Unanimous (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- B. ABATEMENT HEARING REGARDING CE NO. 07-96 AT 1406 SOUTH AVENUE, MODESTO**  
Mataka/Layman, Unanimous (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- \*C. ABATEMENT HEARING REGARDING CE NO. 06-598 AT 5043 FAITH HOME ROAD, TURLOCK**  
Removed for public hearing.  
Staff report: Tod Woodward Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Diane Draper, 5043 S. Faith Home Road, Turlock (Exhibit A thru A-10).  
Guy Draper, 5043 S. Faith Home Road, Turlock.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Mataka/Layman, Unanimous (2-0), **AMENDED THE DECISION AND FOUND ITEMS 1., 2. AND 3. IN VIOLATION AND ITEM 4. IN COMPLIANCE AND RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- \*D. ABATEMENT HEARING REGARDING CE NO. 07-12 AT 3342 MAZE BOULEVARD, MODESTO**  
Removed for public hearing.  
Staff report: Tod Woodward Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Sally Arviso, 3621 Ardia, Modesto.  
**FAVOR:** No one spoke.  
Public hearing closed.

**AT THE REQUEST OF MICHAEL NEWTON THIS ACTION IS WITHDRAWN. THE DECISION IS AMENDED AND FOUND ITEMS 1., 2. AND 4. IN COMPLIANCE AND ITEM 3. IN VIOLATION. THE CASE IS CONTINUED UNTIL AUGUST 23, 2007.**

- E. ABATEMENT HEARING REGARDING CE NO. 07-130 AT 5308 CLARK STREET, KEYES**  
Mataka/Layman, Unanimous (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- F. ABATEMENT HEARING REGARDING CE NO. 06-616 AT 2790 W. WHITMORE AVENUE, MODESTO**  
Mataka/Layman, Unanimous (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- G. ABATEMENT HEARING REGARDING CE NO. 07-164 AT 0 MONTEREY AVENUE, CERES**  
Mataka/Layman, Unanimous (2-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- H. BILLING HEARING REGARDING CE NO. 06-307 AT 330 E. CLAUSEN ROAD, TURLOCK**  
Mataka/Layman, Unanimous (2-0), **BILLING APPROVED AS REASONABLE, RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- \*I. APPEAL OF ADMINISTRATIVE CITATION REGARDING CE NO. 06-346 AT 8651 CRANE ROAD, OAKDALE**  
Removed for public hearing.  
Staff report: Janice McClendon Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Joseph Wright, Legal Counsel for Ms. Denise Seymour.  
Denise Seymour.  
Constance Robinson, 2508 Oakdale Road, Modesto.  
**FAVOR:** Connie Minter, 8607 N. Crane Road.  
Vern Fabry, 8549 Crane Road.  
Public hearing closed.  
Mataka/Layman, Unanimous (2-0), **DENIED THE APPEAL.**
- VIII. ADDITIONAL MATTERS AT DISCRETION OF CHAIRPERSON**  
None
- IX. MEETING ADJOURNED AT 8:10 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).