



## STANISLAUS COUNTY NUISANCE ABATEMENT HEARING BOARD

### MINUTES

REGULAR MEETING

SEPTEMBER 27, 2007

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

Present: Chair Allen Layman, Marie Assali, Arsenio Mataka and Mickey C. Peabody

Absent:

Staff

Present: Dean Wright, Deputy County Counsel; Rowe Barney, Department of Environmental Resources Assistant Director; Robert Miramontes, 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. June 28, 2007

Mataka/Layman, (2-0), **APPROVED WITH THE CORRECTION OF JUNE 21, 2007 TO JUNE 28, 2007**

Peabody and Assali abstained.

B. August 23, 2007

Peabody/Assali, (3-0), **APPROVED**

Mataka abstained.

**IV. MATTERS OF INTEREST FROM THE ASSISTANT DIRECTOR**

Request that Item A., CE06-771 at 1925 Kenneth Street, Modesto be pulled from the calendar and continued indefinitely.

Request that Item C., CE07-12 at 3342 Maze Boulevard, Modesto; item D., CE07-316 at 433 Spruce Street, Modesto; Item E., CE06-352 at 3231 Minniear Avenue, Modesto and Item G., CE07-109 at 413 W. Tuolumne Road, Ceres be pulled from the calendar because the owners complied with the ordinance.

The following cases were forwarded to the Board of Supervisors and approved on September 18, 2007: 1701 S. Golden State Boulevard, Turlock; 3231 Paradise Road, Modesto and 205 S. Santa Ana, Modesto.

**V. CORRESPONDENCE**  
None

**VI. CONFLICT OF INTEREST DECLARATION**  
None

**VII. PUBLIC HEARINGS (\*NON-CONSENT)**  
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. 06-771 AT 1925 KENNETH STREET, MODESTO**  
Hearing continued indefinitely at the request of Rowe Barney, Assistant Director.
- \*B. ABATEMENT HEARING REGARDING CE NO. 07-291 AT 2233 KENNETH STREET, MODESTO**  
Removed for public hearing.  
Staff report: Pamela Lial Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Rosario Del Toro.  
**FAVOR:** Jim Bass, 2230 Kenneth Street.  
Jim Bishop, 2222 Kenneth.  
Carol Lynn Bishop, 2222 Kenneth.  
Public hearing closed.  
Assali/Peabody, Unanimous (4-0), **RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- C. ABATEMENT HEARING REGARDING CE NO. 07-12 AT 3342 MAZE BOULEVARD, MODESTO**  
Removed from the calendar at the request of Rowe Barney, Assistant Director, owner complied with the ordinance.
- D. ABATEMENT HEARING REGARDING CE NO. 07-316 AT 433 SPRUCE STREET, MODESTO**  
Removed from the calendar at the request of Rowe Barney, Assistant Director, owner complied with the ordinance.
- E. ABATEMENT HEARING REGARDING CE NO. 06-352 AT 3231 MINNIEAR AVENUE, MODESTO**  
Removed from the calendar at the request of Rowe Barney, Assistant Director, owner complied with the ordinance.

- \*F. **ABATEMENT HEARING REGARDING CE NO. 07-211 AT 3801 FAITH HOME ROAD, CERES**  
Removed for public hearing.  
Staff report: Stefanie Voortman Recommends **APPROVAL**.  
Public hearing opened.  
**OPPOSITION:** Gary Shoffner, 3801 Faith Home Road.  
Dolores Shoffner, 3801 Faith Home Road.  
Charlie Clawson, 2407 Faith Home Road.  
Tim Sylvester, 3813 Faith Home Road.  
Eudith Hendrix, 3825 Faith Home Road.  
Pete Grubeck, 3419 Faith Home Road.  
**FAVOR:** No one spoke.  
Public hearing closed.  
Assali/Peabody, Unanimous (4-0), **TO CONTINUE THIS MATTER INDEFINITELY BUT NOT TO EXCEED SIX MONTHS. THE HEARING, WHICH WOULD BE REGULARLY SET FROM SIX MONTHS FROM TODAY.**
- G. **ABATEMENT HEARING REGARDING CE NO. 07-109 AT 413 W. TUOLUMNE ROAD, CERES**  
Removed from the calendar at the request of Rowe Barney, Assistant Director, owner complied with the ordinance.
- H. **BILLING HEARING REGARDING CE NO. 06-642 AT 1949 CROWS LANDING ROAD, MODESTO**  
Assali/Mataka, Unanimous (4-0), **BILLING APPROVED AS REASONABLE, RECOMMENDS APPROVAL TO THE BOARD OF SUPERVISORS.**
- I. **BILLING HEARING REGARDING CE NO. 06-271 AT 120 BAROZZI AVENUE, MODESTO**  
Assali/Mataka, Unanimous (4-0), **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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Rowe Barney, Assistant Director

(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).