

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



510B

FROM: County Counsel/TLMA
Department of Building & Safety

SUBMITTAL DATE: April 1, 2003

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 02-1444
Subject Property: 37595 Green Knolls Road, Winchester; APN: 958-170-008
District Three

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 37595 Green Knolls Road, Winchester, Riverside County, California, APN: 958-170-008, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 13.1 as codified in Riverside County Code Chapter 17.120.
2. Irwin Eugene Bender and Jeanne Marie Bender, the owners of the subject real property, be directed to abate the excess outside storage on the property by removing the same from the real property within ninety (90) days.
3. If the owners or whoever has possession or control of the real property does not take the above described action within ninety (90) days of the date of the Board's Order to Abate, that representatives of the Department of Building & Safety, Sheriff's Department, and/or a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the excess outside storage by removing the same from the real property.

(Continued)



SHIRVAN SHERMA ACOSTA,
Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



Policy

Consent

Department Recommendation:
Per Executive Office:

4. The reasonable costs of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real property, which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and Ordinance No. 725.
5. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the excess outside storage of materials on the real property is declared to be in violation of Riverside County Ordinance No. 348, and a public nuisance, and further, to prepare and Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property on April 29, 2002.
2. The inspections of the property revealed the excess outside storage of materials in violation of Riverside County Ordinance No. 348, Section 13.1, including but not limited to: scrap wood, wood planks, pallets, railroad ties, metal barrels, tires, furniture, metal stakes, wood crates, fencing material, plastic tubing, metal, concrete blocks and debris. On October 30, 2002, the total square footage of the material measured in excess of six thousand nine hundred fifty-three (6,953) square feet.
3. Subsequent inspections of the above-described real property on October 30, 2003, January 30 and March 11, 2003 revealed that the property continued to be in violation of Riverside County Ordinance No. 348, Section 13.1.
4. Staff of the Department of Building and Safety have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for the removal of excess outside storage.