

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

354B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
August 22, 2008

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
Case No.: CV 07-1431
Subject Property: 19765 Carmelita Avenue (aka: vacant lot north of 19801 Carmelita Avenue), Corona; APN: 279-053-028
District Two

Departmental Concurrence

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 19765 Carmelita Avenue (aka: vacant lot north of 19801 Carmelita Avenue), Corona, Riverside County, California, APN: 279-053-028 be declared a public nuisance and a violation of Riverside County Ordinance No. 348 (Riverside County Code Chapter 17.32).
2. Paul G. Castagno, the owner of the subject real property, be directed to abate the excess outside storage of materials on the property by removing the same from the real property within ninety (90) days.

[Signature]
TIFFANY N. NORTH, Deputy County Counsel
for JOE S. RANK, County Counsel

(Continued)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *[Signature]*
Tina Grande

County Executive Office Signature

- Consent
- Policy
- Consent
- Policy

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: 2

Agenda Number:

9.6

3. If the owner 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 Code Enforcement Department, Sheriff's Department, and/or a contractor, upon consent or receipt of a Court Order authorizing entry onto the real property when necessary under applicable law, shall abate the excess outside storage of materials by removing and disposing of the same from the real property.
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 Riverside County Ordinance No. 725.
5. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the 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 by the Code Enforcement Officer on May 3, 2007.
2. The inspection revealed the excess outside storage of materials on the subject property in violation of Riverside County Ordinance No. 348. The items included but were not limited to: a pontoon boat, two long wooden boxes, two utility trailers, and wood debris. It was determined that there was eight hundred (800) square feet of outside storage. Given the zoning classification and the fact that the parcel was unimproved, no amount of outside storage is allowed.
3. Subsequent re-inspections of the above-described real property on June 5, 2007, August 14, 2007, October 23, 2007, December 21, 2007, February 20, 2008, March 31, 2008 and July 15, 2008 revealed that the property continued to be in violation of Riverside County Ordinance No. 348.
4. Staff and the Code Enforcement Department 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 of materials.