

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



1213

SUBMITTAL DATE:
December 22, 2008

FROM: County Counsel/TLMA
Code Enforcement Department

SUBJECT: Order to Abate [Excess Outside Storage]
Case No.: CV 07-3630
Subject Property: 25874 Second Street, Hemet
APN: 549-173-022
District Three

Departmental Concurrence

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-3630 be approved;
- (2) The Chairman of the Board of Supervisors be authorized to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-3630 and
- (3) The Clerk of the Board of Supervisors be authorized to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-3630

(Continued)

Julie A. Jarvi

JULIE A.K. JARVI, Deputy County Counsel
for PAMELA J. WALLS, Interim County Counsel

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

C.E.O. RECOMMENDATION:

BY *Tina Grande*
Tina Grande

County Executive Office Signature

- Policy
- Consent
- Policy
- Consent

Dept's Recomm.:
Per Exec. Ofc.:

Order to Abate [Excess Outside Storage]
Case No.: CV 07-3630
Subject Property: 25874 Second Street, Hemet
APN: 549-173-022
District Three

BACKGROUND:

On December 16, 2008, this Board received the declaration of the Code Enforcement Officer in the above-referenced matter. At the conclusion of the hearing, this Board declared the excess outside storage of materials on the subject property to be a public nuisance. The Board ordered the property owners to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusions and Order to Abate.

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WHEN RECORDED PLEASE MAIL TO:
Julie A.K. Jarvi, Deputy County Counsel
County of Riverside
OFFICE OF COUNTY COUNSEL
3535 Tenth Street, Suite 300 (Stop #1350)
Riverside, CA 92501

[EXEMPT '6103]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

IN RE ABATEMENT OF PUBLIC NUISANCE:)	CASE NO. CV 07-3630
[EXCESSIVE OUTSIDE STORAGE]; APN 549-)	
173-022, 25874 SECOND STREET, HEMET,)	FINDINGS OF FACT,
RIVERSIDE COUNTY, CALIFORNIA; JEFFREY)	CONCLUSIONS AND ORDER TO
SCOTT JOHN, OWNER.)	ABATE NUISANCE
)	
)	[R.C.O. Nos. 348 and 725
)	R.C.C. Title 17 and 1]

The above-captioned matter came on regularly for hearing on December 16, 2008, before the Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described as 25874 Second Street, Hemet, APN: 549-173-022 and referred to hereinafter as "THE PROPERTY."

Alexandra Fong, Deputy County Counsel, appeared along with Jim Monroe, Code Enforcement Division Manager, on behalf of the Director of the Code Enforcement Department.

No one appeared on behalf of OWNER.

The Board of Supervisors received the Declaration of the Code Enforcement Officer, together with attached Exhibits, evidencing the excessive storage of materials on THE PROPERTY as violations of Riverside County Ordinance No. 348 (Riverside County Code Title 17), and as a public nuisance.

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1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder's Office identify the owner of THE
3 PROPERTY as Jeffrey Scott John ("OWNER").

4 2. Documents of title at the time of the inspection indicated that other parties potentially hold
5 a legal interest in THE PROPERTY, to wit: Helen Maxwell, S-KRO Enterprises, Inc., Mara D. Jones,
6 Alton Morse, Susan Johnson, District Attorney Bureau of Family Support Operations, Riverside County
7 Department of Child Support Services and Department of Child Support Services ("INTERESTED
8 PARTIES").

9 3. THE PROPERTY has been inspected by Code Enforcement Officers on May 9, 2007, July
10 13, 2007, April 23, 2008, July 14, 2008, November 10, 2008, and December 12, 2008.

11 4. During each inspection, outside storage of materials were observed on THE PROPERTY.
12 The materials included but were not limited to: lumber, furniture, cardboard boxes filled with unknown
13 contents, old tires, wood, appliances, a television, playpen, and two doors. The total area of excess
14 outside storage of materials was approximately eight hundred (800) square feet.

15 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance No.
16 348 (Riverside County Code Title 17) by the Code Enforcement Officer.

17 6. A Notice of Noncompliance was recorded on September 4, 2007, as Document Number
18 2007-0563407 in the Office of the County Recorder, County of Riverside.

19 7. On May 9, 2007, Notice of Violation was posted on the property. On May 11, 2007, a
20 notice was mailed to OWNER and was mailed to INTERESTED PARTIES on May 22, 2008 by certified
21 mail, return receipt requested.

22 8. On November 5, 2008, a "Notice to Abate Nuisance" providing notice of the public
23 hearing before the Board of Supervisors on December 16, 2008 was mailed by certified mail, return
24 receipt requested, to THE PROPERTY OWNER and INTERESTED PARTIES and posted on THE
25 PROPERTY on November 10, 2008.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
28 regular session assembled on December 16, 2008 finds and concludes that:

1 It is further ordered that reasonable abatement costs, after notice and opportunity for hearing, shall
2 be imposed as a lien on the property, which may be collected as a special assessment against the property
3 pursuant to Government Code section 25845 and Riverside County Ordinance nos. 348 and 725. Under
4 Riverside County Ordinance 725, "abatement costs" means "any costs or expenses reasonably related to
5 the abatement of conditions which violate County Land Use Ordinances, and shall include, but not be
6 limited to, enforcement, investigation, collection and administrative costs, attorneys fees, and the costs
7 associated with the removal or correction of the violation." Reasonable abatement costs accrued by the
8 Department will be recoverable from the property owner(s) even if the property is brought into
9 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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11
12 Dated: _____

COUNTY OF RIVERSIDE

13
14 By _____

15 Jeff Stone
Chairman, Board of Supervisors

16 ATTEST:

17
18 NANCY ROMERO

19 Clerk to the Board

20
21 FORM APPROVED COUNTY COUNSEL

22 BY: Julie A. Koons Jarvi 12/22/08
JULIE A. KOONS JARVI DATE

23 By

24 Deputy

25 (SEAL)

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