

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

513B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
April 8, 2010

SUBJECT: Order to Abate [Excess Outside Storage]
Case No.: CV 07-0347 (BISHOP)
Subject Property: 37950 Halifax Lane, Winchester; APN: 964-130-008
District Three

RECOMMENDED MOTION: Move that

- (1) The Findings of Fact, Conclusions and Order to Abate in Case No. CV 07-0347 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 07-0347; 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 07-0347.

BACKGROUND:

On March 23, 2010, 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 on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare the Findings of Fact, Conclusion and Order to Abate.

Julie A. Jarvi

JULIE A. JARVI, Deputy County Counsel
for PAMELA J. WALLS, 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:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: *Tina Grande*
Tina Grande

County Executive Office Signature

- Dept Recomm.: Policy Policy
Per Exec. Ofc.: Consent Consent

Prev. Agn. Ref.: 03/23/10; 9.1

District: 3

Agenda Number:

2.19

1 RECORDING REQUESTED BY:
Kecia Harper-Ihem, Clerk of the
2 Board of Supervisors
(Stop #1010)
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5 WHEN RECORDED PLEASE MAIL TO:
Julie A. Jarvi, Deputy County Counsel
6 County of Riverside
OFFICE OF COUNTY COUNSEL
7 3960 Orange Street, Fifth Floor (Stop #1350)
Riverside, CA 92501

[EXEMPT '6103]

8
9 **BOARD OF SUPERVISORS**
COUNTY OF RIVERSIDE
10

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 07-0347
[EXCESSIVE OUTSIDE STORAGE]; APN 964-)
12 130-008, 37950 HALIFAX LANE,) FINDINGS OF FACT,
WINCHESTER, RIVERSIDE COUNTY,) CONCLUSIONS AND ORDER TO
13 CALIFORNIA; ROBERT BISHOP AND) ABATE NUISANCE
VICTORIA BISHOP, OWNERS.)
14) [R.C.O. Nos.348 and 725
15) R.C.C. Title 17 and 1]

16 The above-captioned matter came on regularly for hearing on March 23, 2010, before the Board of
17 Supervisors of the County of Riverside, State of California in the Board Room, First Floor Annex, County
18 Administrative Center, 4080 Lemon Street, Riverside, California regarding the real property described as
19 37950 Halifax Lane, Winchester, Riverside County, APN: 964-130-008 and referred to hereinafter as
20 "THE PROPERTY."

21 Julie A. Jarvi, Deputy County Counsel, appeared along with Brian Black, Supervising Code
22 Enforcement Officer, on behalf of the Director of the Code Enforcement Department.

23 Owners did not appear.

24 The Board of Supervisors received the Declaration of the Code Enforcement Officer, together with
25 attached Exhibits, evidencing the excessive storage of materials on THE PROPERTY as violations of
26 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 owners of
3 THE PROPERTY as Robert Bishop and Victoria Bishop ("OWNERS").

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: Quality Loan Service Corp, Internal Revenue Service, State
6 of California Franchise Tax Board and Norwest Mortgage, Inc. ("INTERESTED PARTIES").

7 3. THE PROPERTY has been inspected by Code Enforcement Officers on March 19, 2008,
8 April 7, 2009, June 8, 2009, July 22, 2009, August 11, 2009, October 10, 2009, October 15, 2009,
9 December 1, 2009, January 7, 2010 and March 20, 2010.

10 4. During each inspection, outside storage of materials in excess of 200 square feet were
11 observed on THE PROPERTY. The materials included but were not limited to: mobilehome storage.
12 The total area of excess outside storage of materials was approximately seven hundred (700) square feet.

13 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance No.
14 348 (Riverside County Code Title 17) by the Code Enforcement Officer.

15 6. A Notice of Noncompliance was recorded on February 5, 2007, as Document Number
16 2007-0085363 in the Office of the County Recorder, County of Riverside.

17 7. On March 19, 2008, a Notice of Violation was posted on THE PROPERTY. On May 8,
18 2008, a notice was mailed to the OWNER, Robert Bishop, by certified mail, return receipt requested. On
19 May 4, 2009, a Notice of Violation was mailed to OWNERS and INTERESTED PARTIES by certified
20 mail, return receipt requested. On June 23, 2009, a Notice of Violation was mailed to additional
21 INTERESTED PARTIES by certified mail, return receipt requested.

22 8. On February 16, 2010, a "Notice to Abate Nuisance" providing notice of the public
23 hearing before the Board of Supervisors on March 23, 2010 was mailed by certified mail, return receipt
24 requested, to the OWNERS and INTERESTED PARTIES and was posted on THE PROPERTY on
25 February 18, 2010.

26 **FINDINGS AND CONCLUSIONS**

27 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
28 regular session assembled on March 23, 2010, finds and concludes that:

1 related to the abatement of conditions which violate County Land Use Ordinances, and shall include, but
2 not be limited to, enforcement, investigation, collection and administrative costs, attorneys fees, and the
3 costs associated with the removal or correction of the violation." Reasonable abatement costs accrued by
4 the Department will be recoverable from the property owner(s) even if the property is brought into
5 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

FORM APPROVED COUNTY COUNSEL
BY: Julia Koons Jarvi 3/29/10
DATE

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7
8 Dated: _____

COUNTY OF RIVERSIDE

9
10 By _____
11 Marion Ashley
12 Chairman, Board of Supervisors

13 ATTEST:

14 KECIA HARPER-IHEM

15 Clerk to the Board

16
17
18 By
19 Deputy
20 (SEAL)
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