

FORM APPROVED COUNTY COUNSEL
 BY: Patricia Munroe 10/22/13
 DATE: _____
 Patricia Munroe
 Departmental Concurrence

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

503 B



SUBMITTAL DATE:
 November 20, 2013

FROM: TLMA – Code Enforcement Department

SUBJECT: Abatement of Public Nuisance [Construction Without Permit]
 Case No: CV10-05508 [OWB REO, LLC]
 Subject Property: 39625 Calle Cabernet, Temecula; APN: 943-270-002
 District: 3/3 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors move that:

1. The construction without permit on the real property located at 39625 Calle Cabernet, Temecula, Riverside County, California, APN: 943-270-002 be declared a public nuisance and a violation of Riverside County Ordinance No. 457 which does not allow construction without permit on the property.




 GREG FLANNERY
 Interim Code Enforcement Official

(Continued)

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/>
NET COUNTY	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Policy <input checked="" type="checkbox"/>
SOURCE OF FUNDS				Budget	
				For Fiscal Year:	

C.E.O. RECOMMENDATION:

APPROVE

BY: 
 Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

NOV 20 11 08:50

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

FORM 11: Abatement of Public Nuisance [Construction Without Permit]

Case No: 10-05508 [OWB REO, LLC]

Subject Property: 39625 Calle Cabernet, Temecula; APN: 943-270-002

District: 3/3

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RECOMMENDED MOTION (continued):

2. OWB REO, LLC, the owner of the subject real property, be directed to abate the construction without permit (retaining wall and pool) by either obtaining the required permits and approvals from the Riverside County Building and Safety Department or removing and/or demolishing the same from the real property, including the removal and disposal of all debris and materials within ninety (90) days.

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 of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, may abate the retaining wall and pool by removing 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 construction without permit (retaining wall and pool) on the real property is declared to be in violation of Riverside County Ordinance No. 457, and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

BACKGROUND:

1. An initial inspection was made on the subject property by Code Enforcement Officer Jeannie Chamberlain on May 19, 2011. The Inspection revealed an unpermitted retaining wall and pool on the subject property in violation of Riverside County Ordinance 457. Riverside County records show no valid permits or approvals have been obtained.

2. Follow up inspection of the above-described real property on March 14, 2012, April 27, 2012, March 18, 2013 and September 25, 2013, revealed the property continues to be in violation of Riverside County Ordinance No. 457.

3. 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 construction without permit.

Impact on Citizens and Businesses

N/A

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

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PAGE: 3 of 3

ATTACHMENTS (if needed, in this order): N/A

A. BUDGET ADJUSTMENT

B. CHANGE ORDER REPORT

NUMBER	AMOUNT	PERCENT	DESCRIPTION

(Additional description and details of new change order(s) – one or two paragraphs for each.)

C. PERSONNEL CHANGE and ORDINANCE 440 REPORT

N/A