

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

108 B



FROM: County Counsel/TLMA
Code Enforcement Department

SUBMITTAL DATE:
April 9, 2014

SUBJECT: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]
Case No. CV13-03076 [SCHWENN]
Subject Property: Vacant Lot on Thousand Palms Canyon Road, Sky Valley
APN: 741-090-008
District: 4/4 [\$0.00]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-03076;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-03076; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case No. CV13-03076.

BACKGROUND:

Summary

On March 25, 2014, this Board received the declaration of the Code Enforcement Officer in the above referenced matter and declared the excessive outside storage and accumulated rubbish, located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative (Continued)

PATRICIA MUNROE
Deputy County Counsel

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

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 03/25/14; 9.2

District: 4/4

Agenda Number:

2-13

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Order to Abate [Excessive Outside Storage & Accumulated Rubbish]**

Case No. CV13-03076 [SCHWENN]

Subject Property: Vacant Lot on Thousand Palms Canyon Road, Sky Valley

APN: 741-090-008

District: 4/4 [\$0.00]

DATE: April 9, 2014

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

Impact on Citizens and Businesses

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS

Findings of Fact

1 RECORDING REQUESTED BY:
2 Kecia Harper-Ihem, Clerk of the
3 Board of Supervisors
4 (Stop #1010)

5 WHEN RECORDED PLEASE MAIL TO:
6 Michelle Cervantes, Code Enforcement Officer
7 Regina Keyes, Senior Code Enforcement Officer
8 CODE ENFORCEMENT DEPARTMENT
4080 Lemon Street, Twelfth Floor (Stop #1012)
Riverside, CA 92501

[EXEMPT GC §§ 6103 and 27383]

**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE:) CASE NO. CV 13-03076
12 [EXCESSIVE OUTSIDE STORAGE AND)
13 ACCUMULATION OF RUBBISH];) FINDINGS OF FACT,
14 APN 741-090-008, VACANT LOT ON) CONCLUSIONS AND ORDER TO
15 THOUSAND PALMS CANYON ROAD, SKY) ABATE NUISANCE
16 VALLEY, RIVERSIDE COUNTY, CALIFORNIA;)
MARY BERNADETTE SCHWENN, OWNER.) R.C.O. Nos. 348, 541 and 725

17 The above-captioned matter came on regularly for hearing on March 25, 2014, before the
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real
20 property described Vacant Lot on Thousand Palms Canyon Road, Sky Valley, Riverside County,
21 Assessor’s Parcel Number 741-090-008 and referred to hereinafter as “THE PROPERTY.”

22 Patricia Munroe, Deputy County Counsel, appeared along with Michelle Cervantes, Code
23 Enforcement Officer, on behalf of the Director of the Code Enforcement Department, and Hector
24 Herrera, the enforcing Code Enforcement Officer as a witness.

25 Owner appeared and addressed the Board of Supervisors.

26 The Board of Supervisors received the Declaration of the Code Enforcement Officer together
27 with attached Exhibits, evidencing the excessive outside storage of materials and accumulation of
28 rubbish on THE PROPERTY as violations of Riverside County Ordinance Nos. 348 and 541 and as

1 **SUMMARY OF EVIDENCE**

2 1. Documents of record in the Riverside County Recorder’s Office identify the owner
3 of THE PROPERTY as Mary Bernadette Schwenn (“OWNER”).

4 2. Documents of title indicate that no other parties may potentially hold a legal interest
5 in THE PROPERTY.

6 3. THE PROPERTY was inspected by Code Enforcement Officers on July 25, 2013,
7 September 3, 2013, September 26, 2013, October 1, 2013, October 29, 2013, November 7, 2013,
8 December 24, 2013, and January 23, 2014.

9 4. During each inspection an accumulation of rubbish and excess outside storage was
10 observed throughout THE PROPERTY consisting of but not limited to: metal, wood, discarded
11 carton bags, household trash, furniture, a tent, bags of dog food and mattresses.

12 5. THE PROPERTY was determined to be in violation of Riverside County Ordinance
13 Nos. 348 and 541 by the Code Enforcement Officer.

14 6. On October 3, 2013 and November 6, 2013, Notices of Pendency of Administrative
15 Proceedings were recorded at the Riverside County Recorder’s Office as instrument numbers 2013-
16 0478509 and 2013-0528766.

17 7. On July 25, 2013, a Notice of Violation was posted on THE PROPERTY. On
18 September 30, 2013 and December 18, 2013, a Notice of Violation was mailed to OWNER by first
19 class mail. On December 18, 2013, a Notice of Violation was mailed to OWNER by certified mail
20 with return receipt requested.

21 8. A “Notice to Correct County Ordinance Violations and Abate Public Nuisance”
22 providing notice of the public hearing before the Board of Supervisors was mailed to OWNER and
23 was posted on THE PROPERTY.

24 **FINDINGS AND CONCLUSIONS**

25 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in
26 regular session assembled on March 25, 2014, finds and concludes that:

27 1. WHEREAS, the excessive outside storage of materials and accumulation of rubbish
28 on the real property located at Vacant Lot on Thousand Palms Canyon Road, Sky Valley, Riverside

1 County Ordinance Nos. 348, 541, and 725. Under Riverside County Ordinance No. 725, “abatement
2 costs” means “any costs or expenses reasonably related to the abatement of conditions which violate
3 County Land Use Ordinances, and shall include, but not be limited to, enforcement, investigation,
4 collection and administrative costs, attorneys fees, and the costs associated with the removal or
5 correction of the violation.” Reasonable abatement costs accrued by the Code Enforcement

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1 Department will be recoverable from OWNER even if THE PROPERTY is brought into
2 compliance within ninety (90) days of the date of this Order to Abate Nuisance.

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4 Dated: _____

COUNTY OF RIVERSIDE

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By _____
Jeff Stone
Chairman, Board of Supervisors

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ATTEST:

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KECIA HARPER-IHEM

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Clerk to the Board

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By

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Deputy

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(SEAL)

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