



August 22, 2016

Lacramioara Mateas  
7596 Del Rosa Ave  
San Bernardino, CA 92410

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
AND FIRST CLASS MAIL

Re: 7596 Del Rosa Avenue, in the City of Highland  
Assessor's Parcel Number: 0278-092-17-0000

Dear Ms. Mateas,

### **NOTICE OF PUBLIC HEARING**

This Notice is to inform you of a Public Hearing to be held before the Public Nuisance Hearing Board (the "Board") to determine whether certain conditions and/or uses existing on 7596 Del Rosa Avenue, Highland, California (referred to after this as the "Property") constitute a public nuisance pursuant to the Highland Municipal Code, and Ordinances of the City of Highland. The Property is more particularly described as Assessor Parcel Number: 0278-092-17-0000, commonly known as 7596 Del Rosa Avenue, Highland, California. The Public Hearing will be conducted in accordance with Chapter 8.32 of Title 8 of the Highland Municipal Code as follows:

Time and date of Hearing: 4:00 pm on Wednesday, September 21, 2016

Location of Hearing: Leo Donahue Council Chambers  
27215 Base Line  
Highland, California 92346

You may bring any witnesses, pictures, photographs, reports, or any other exhibits to this hearing which you feel will establish or prove the Property is not a public nuisance. You may be represented by an attorney. You will have an opportunity to examine all evidence and question witnesses testifying against you.

If the Public Nuisance Hearing Board determines at the end of the Hearing, that this Property is, in fact a public nuisance, you will be ordered to abate the public nuisance, or the condition thereof, and your Property will be assessed the City's administrative and incidental costs incurred up to that stage in the abatement process. This assessment will

result in a Lien upon your Property until paid. Thereupon, if you fail to obey the Public Nuisance Hearing Board's order to abate this nuisance, the City may do so for you, by the rehabilitation, repair, or demolition of the building or structures, or by otherwise eliminating the nuisance from the Property. The costs, and expense of abating the nuisance, including the City's incidental and administrative expenses, will be assessed upon the Property, together with interest on the entire amount owing, and will result in a Lien upon the Property until it is paid.

In addition, you may also be cited for violations of the Ordinances of the City of Highland, including but not limited to the Highland Municipal Code and/or Development Code and be subject to criminal proceedings.

The following conditions of the Property constituting a public nuisance in violation of the following sections of the Highland Municipal Code have been noted to be in non-compliance on the Property:

**HMC 16.44.040.E.3**

E. Animals Permitted Subject to Department Review Permit. The keeping of the following animals in any combination shall be permitted subject to issuance of a department review permit within any residential district:

3. Poultry, Rabbits and Other Small Animals – Chickens were observed on the Property during an inspection on July 27, 2016.

Correction: Apply for a Department Review Permit for the chickens or remove from the property.

**HMC 16.44.040.F.3**

F. Animals Permitted Subject to Conditional Use Permit:

3. Exotic or wild animals – A farm pig and two large tortoises were observed on the Property during an inspection on July 27, 2016.

Correction: Apply for a Conditional Use Permit for the farm pig, tortoises, and any reptiles or remove from the property.

**HMC 6.04.020.C**

The following provisions of the San Bernardino County Code regarding animal control regulations and administrative citations are adopted by reference:

C. Title 3, Division 2, Chapter 2, in its entirety – Unlicensed dogs were observed on the Property during an inspection on July 27, 2016.

Correction: Obtain dog licenses for all dogs on the property.

**HMC 16.52.060.B.4.a.iii (Single-Family Detached Residential Uses)**

4. Vehicle Parking, Single Family Detached

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a. Single Family Detached Residential Uses

- iii. Any vehicle(s) parked in plain view must be currently registered to operate on a street or roadway, if required by law. Vehicles that are not currently registered, if required by law, as well as inoperative vehicles, may be permitted to be parked in a garage or to the rear of the property and screened from view.

Ten abandoned, dismantled, inoperable, junked or wrecked vehicle or parts thereof were observed on the Property during an inspection on July 27, 2016.

Correction: Obtain current registration for all vehicles or remove from the property.

**HMC 10.20.040**

Pursuant to the determination made, and the authority granted by the state under Section 22660 et seq. of the California Vehicle Code to abate and remove abandoned, dismantled, inoperative, junked, and wrecked vehicles, and/or parts thereof as public nuisances, and in accordance with the city's police power authority, the city council of the city makes the following findings and declaration:

- A. The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof on private or public property is found to create a condition tending to reduce the value of private and public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public.
- B. Therefore, the presence of abandoned, dismantled, inoperative, junked or wrecked vehicles, or parts thereof on private or public property (other than on streets, public roadways, alleys, rights-of-way and highways) in the City, except as expressly permitted in this chapter, is declared a public nuisance which may be abated as such in accordance with the provisions of this chapter.

Ten abandoned, dismantled, inoperable, junked or wrecked vehicle or parts thereof were observed on the Property during an inspection on July 27, 2016.

Correction: Remove all abandoned, dismantled, inoperative, junked, and wrecked vehicles, and/or parts thereof from the property.

**HMC 8.32.020.B.1**

B. A public nuisance is created by any condition or use of a building, structure or property which is detrimental to the property of others. This includes but is not limited to:

- 1. Violation of any condition of a site approval or conditional use permit.

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Ten abandoned, dismantled, inoperable, junked or wrecked vehicle or parts thereof were observed on the Property during an inspection on July 27, 2016.

Correction: Vehicle storage is not a permitted use, remove all vehicles being stored on the property.

**California Residential Code (As Adopted by HMC 15.14.010)**

R105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make applications to the building official and obtain the required permit.

Correction: Permit all illegal/unpermitted construction/structures or remove.

**For Additional Building and Safety Violations see Attached Building & Safety Inspection Report for 7596 Del Rosa, Highland, CA at Exhibit A.**

If you choose to voluntarily abate this nuisance prior to this Hearing, you may notify the Code Enforcement Department at least three (3) days prior to the Hearing set below, for a pre-hearing inspection.



Vivienne Muro  
Senior Code Compliance Officer

CC: Joe Hughes, City Manager  
Larry Mainez, Community Development Director  
Craig Steele, City Attorney  
Public Nuisance Hearing Board Members

# EXHIBIT A

## Building & Safety Inspection Report for 7596 Del Rosa, Highland, Ca

**Inspection Date: July 27, 2016**

The listed items below were found to be in violation of the City adopted codes.

Permits for a rear bedroom and front porch addition, Permit #B00-009-072 has expired on 8-29-09.

The permits for the perimeter property wall Permit No. #B00-002-408 and electrical lights Permit No. B00-003-049, have expired by limitation pursuant to Section R105.5, 2013 California Residential Code, (CRC).

Correction required, renew all expired permits and obtain finals inspections.

The front porch attachment to the dwelling is not consistent with the City's Patio Standard or with the conventional framing standards, violation of Section # R311.5.1 2013 California Residential Code.

Correction required, attachment of the patio cover to the dwelling shall be on to an approved ledger or on the top plate of the exterior wall.

There are holes drilled within the top (2) two inches of the rafters, these holes carry the electrical wiring, The holes are located and drilled in violation of Section #R502.8.1, 2013 California Residential Code.

Correction required, Rafters need to be replaced and electrical wire circuits run in an approved location.

The inspection revealed unpermitted construction of a patio cover located on the north side of the dwelling. The patio cover on the north side is constructed within the required side yard setback area. The support posts and header supports are made of metal racking material and do not conform to conventional framing practices, Section R301.1, 2013 California Residential Code

Correction required, obtain City approvals and permits for size, location of the patio cover and reframe the patio to comply with the city patio cover plans and conventional framing standards of the 2013 California Residential Building Code.

The inspection revealed unpermitted construction of a patio cover on the west side of the dwelling. The patio cover on the west side of the dwelling appears to conform to conventional framing standard, however still needs to have City approvals and permits.

Correction required, obtain City approvals and permits. R105.1 of the 2013 CRC

The inspection revealed unapproved construction of a free standing lattice patio cover over a water fountain in the rear yard.

Correction required, obtain City approvals and permits. The detached patio cover over the fountain requires verification of foundation or footings with positive attachment hardware and also post to beam and beam to rafter attachment hardware. Section R105.1 of the 2013 CRC.

The inspection revealed unapproved construction of approximately 408 square foot detached storage structure located in the rear yard.

Correction required, obtain City approvals and permits by first submitting construction plans as well as a site plan. The construction plans need to detailing footings, anchor bolts, shear details, framing, electrical of the detach storage structure. Section R106.1, R106.1.1 and R106.2 of the 2013 CRC

Unapproved conversion of the existing garage to a habitable space consisting of the removal of two structural walls between the garage and the dwelling.

Correction requires, obtain a California licensed structural engineer to evaluate and specify a course of repair to return the garage back to a garage use and provide a report for the conversion of a portion of the garage to a habitable space and dining room with a fire place.

The main electrical service panel lacks the required dead plate protective cover with all breaker identified.

Correction required, obtain required dead plate cover to protect the electrical wires in the service panel and arrange for an inspection to verify compliance. Section 110.27.(B), 2013 Electrical Code

The HVAC unit inside the dwelling lacks the required high and low combustion air openings. The return air is open to the combustion portion of the cabinet, the drywall in the ceiling in the cabinet is open to the attic area, and the HVAC condensate line lacks the required trap and vent to the outside of the dwelling.

Correction required, provide upper and lower combustion air vents to the HVAC cabinet pursuant to Section 701, of the 2013 California Mechanical Code. Separate the return air from the combustion air and repair the drywall in the cabinet to separate the attic from the cabinet.

The water heater located on the outside of the dwelling, within a cabinet, lacks the required two seismic straps, one on the upper 1/3 and one on the lower 1/3 of the heater. The water heater is missing the Temperature/Pressure Relief valve piping run

downward to the outside, terminating between 6" and 24" above grade. The water heater exhaust vent piping is disconnected allowing carbon monoxide to fill the compartment.

Correction required, Strap the water for seismic support pursuant to section 507.2, 2013 California Plumbing Code, (CPC). Install TPR valve in accordance to Section 505.2 of the CPC. Secure the exhaust vent with mechanical sheet metal screws to provide a positive connection and proper venting.

There is an excess of hard surface coverage in the front yard. This is a violation of Highland Municipal Code, Section 16.52.060.B.4. Only 40% of the first 25 feet of the front yard shall be covered by concrete or asphalt.

Correction required, Submit plans to the City Planning Department for approvals and follow up.