



**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

SPECIAL MEETING

**Council Chambers
200 "H" Street**

**JANUARY 8, 2015
4:00 P.M.**

3:00 P.M. ROLL CALL Diana Busenbarrick, Chairperson
Deborah Simpson, Vice Chairperson
Andrew Schleder
Mike Schneider
Frederick Rouse
Ademuyiwa "Ade" Adeyemi, Alternate

PLEDGE OF ALLEGIANCE

1. CONSENT CALENDAR

- A.** APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR DECEMBER 4, 2014

Recommended Action: Motion to approve the minutes

STAFF REPORT

- B.** APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTHS OF OCTOBER AND NOVEMBER 2014

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

STAFF REPORT

2. APPEALS

- A.** **CITATION NO. 23822** – APPEAL OF ADMINISTRATIVE CITATION ISSUED REGARDING SPECIFIC NUISANCES PROHIBITED: PARKING AND STORAGE OF VEHICLES AND EQUIPMENT – UNIMPROVED SURFACE [§5-1.202(D)(2)] FOR KENNY DE RESPINI, 403 W. 19TH STREET, ANTIOCH, CA

STAFF REPORT

PUBLIC COMMENTS—*Only unagendized issues will be discussed during this time*

WRITTEN/ORAL COMMUNICATIONS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. Materials provided regarding the agenda items will be available at the following website: <http://www.ci.antioch.ca.us/CityGov/Agendas/default.asp> or at the City Clerk's Office located on the 3rd floor of City Hall, 200 H Street, Antioch, CA 94509, Monday through Thursday, for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

Notice of Opportunity to Address the Committee

The public has the opportunity to address the Board on each agenda item. To address the Board, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section on the agenda. No one may speak more than once on an agenda item or during "Public Comments".

PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.

**BOARD OF ADMINISTRATIVE APPEALS
ADMINISTRATIVE REVIEW PANEL**

**Regular Meeting
3:00 P.M.**

**December 4, 2014
Council Chambers**

Vice Chairperson Simpson called the meeting to order at 3:05 P.M. on Thursday, December 4, 2014 in the Council Chambers.

ROLL CALL:

Present: Board Members Schneider, Rouse, Simpson, and Adeyemi
Absent: Board Member Schleder and Chairperson Busenbarrick

Staff Present: City Attorney, Lynn Tracy Nerland
Administrative Assistant Code Enforcement, Denise Skaggs
City Clerk, Arne Simonsen
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

Vice Chairperson Simpson led the board, staff and public in the Pledge of Allegiance.

1. CONSENT CALENDAR

**A. APPROVAL OF ADMINISTRATIVE APPEALS SPECIAL MEETING MINUTES
FOR NOVEMBER 6, 2014**

On motion by Board Member Rouse, seconded by Board Member Schneider, the Board of Administrative Appeals unanimously approved the Minutes for November 6, 2014.

**B. APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN
PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS &
ABATEMENTS FOR THE MONTHS OF SEPTEMBER AND OCTOBER 2014**

Administrative Assistant Code Enforcement, Denise Skaggs presented the staff report dated November 24, 2014 and the supplemental staff report dated December 4, 2014 recommending the Board of Administrative Appeals confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

BOARD OF ADMINISTRATIVE APPEALS**Regular Meeting****December 4, 2014****Page 2 of 2**

City Attorney Nerland, for the record, clarified the supplemental report dated December 4, 2014 indicated that as of today, five (5) of the accounts had been paid in full and staff recommended the removal of those five (5) accounts from the list before confirmation of assessment and direction to record said lien. She expressed her appreciation to Board members for attending the meeting and considering the matter before them.

On motion by Board Member Schneider, seconded by Board Member Rouse, the Board of Administrative Appeals unanimously confirmed each assessment listed in the supplemental staff report dated December 4, 2014 and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board also directed that the same be recorded with the Contra Costa County Recorder's Office.

PUBLIC COMMENTS - None

WRITTEN/ORAL COMMUNICATIONS

City Attorney Nerland wished everyone a Happy Holiday and thanked the Board for their continued service.

ADJOURNMENT

Vice Chairperson Simpson adjourned the Administrative Board of Appeals meeting at 3:12 P.M. to the next scheduled special meeting on January 8, 2015.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk

**STAFF REPORT TO THE BOARD OF ADMINISTRATIVE APPEALS
FOR CONSIDERATION AT THE HEARING ON JANUARY 8, 2015**

Prepared by: Ryan Graham, Deputy Director of Community Development

Date: December 29, 2014

Subject: Approval of the Levy of Special Assessments on Certain Properties for Unpaid Administrative Citations & Abatements for the months of October and November, 2014

RECOMMENDATION

The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property (Attachment "A"). The Board shall also direct that the same be recorded with the Contra Costa County Recorders Office and thereafter the assessment shall constitute a special assessment and lien against the property.

FISCAL IMPACT

The action will enable the City of Antioch to collect outstanding receivables against properties for the months of October, 2014 and several in November, 2014 respectively in the amount of \$20,596.22 in unpaid Administrative Citations & Abatements.

BACKGROUND INFORMATION

Pursuant to Antioch Municipal Code §1-5.09 the City may collect any past due Administrative Citation fines, Abatements or late payment charges by use of special assessment liens and all action for recovery of money.

A Notice of Intent to Record Lien was sent to each property owner who is entitled to notice reflecting the property address directly connected to conditions or activities on the subject real property, assessors parcel number, the municipal code violation, administrative citation fine and copy of the administrative citations.

ATTACHMENT

A: List of assessments

| CITATION & ABATEMENTS FOR CONFIRMATION - JANUARY 2015 BOARD OF APPEALS | | | | | | | | | |
|--|------------|-------------|-----|------------|--------------|------------------|---------------------------------------|---------------------|------|
| AR | Case | APN | JAN | Amount | Owner Last | Owner First | Owner Address | Site Address | Paid |
| AR1402925 | CE1311-113 | 067-181-014 | X | \$411.82 | BENITES | BENJAMIN | 4430 BALFOUR RD, BRENTWOOD, CA 94513 | 501 W 13TH ST | |
| AR140311 | CE1407-033 | 076-580-089 | X | \$383.44 | CADET | MARCUS | 2 AVILA PLACE | 2 AVILA PLACE | |
| AR140323 | CE1205-020 | 053-610-058 | X | \$411.82 | CAMPOS | GERALD | 2508 CRYSTAL WAY | 2508 CRYSTAL WAY | |
| AR140324 | CE1301-082 | 055-140-055 | X | \$411.82 | CARRILLO | MARGARITA | 4435 PRONGHORN WAY | 4435 PRONGHORN WAY | |
| AR140333 | CE1301-046 | 053-101-004 | X | \$411.82 | CASTORINA | DENISE | 4013 PALOMAR DR | 4013 PALOMAR DR | |
| AR140303 | CE1408-059 | 072-350-022 | X | \$411.82 | CLIFTON HILL | INVESTMENTS LLC | 2077 MOUNTAIN BLVD, OAKLAND, CA 94611 | 2417 GREENTREE CT | |
| AR140320 | CE1406-038 | 053-321-023 | X | \$411.82 | COSTA | MARIA E. | 5068 RODEO CIR | 5068 RODEO CIR | |
| AR140329 | CE1205-016 | 053-530-006 | X | \$411.82 | CRIST | ANNA | 2312 CRYSTAL CT | 2312 CRYSTAL CT | |
| AR140305 | CE1408-043 | 052-500-004 | X | \$411.82 | DEUZ | MELITA | 4637 IMPERIAL ST | 4637 IMPERIAL ST | |
| AR140325 | CE1211-020 | 074-172-033 | X | \$411.82 | E | CONSEPCION C. | 1304 POPPY WAY | 1304 POPPY WAY | |
| AR140332 | CE1206-028 | 056-075-008 | X | \$411.82 | GUERRERO | CAMERINA | 800 W. 9TH ST., ANTIOCH, CA 94509 | 5117 WINTERGLEN WAY | |
| AR140314 | CE1206-027 | 056-073-003 | X | \$411.82 | HASTINGS | CAROL | 4809 LEFEBVRE WAY | 4809 LEFEBVRE WAY | |
| AR140302 | CE1408-044 | 055-250-043 | X | \$411.82 | JOHNSON | DARRELL L. | 2500 INEZ WAY | 2500 INEZ WAY | |
| AR140313 | CE1407-046 | 076-631-007 | X | \$411.82 | KHONG | DAMON & TIFFANY | 3617 OLD GLORY CT | 3617 OLD GLORY CT | |
| AR140300 | CE1408-082 | 065-062-027 | X | \$411.82 | MONCHATRE | RENE | 123 BEEDE WAY | 123 BEEDE WAY | |
| AR140327 | CE1301-051 | 053-650-043 | X | \$411.82 | MONELO | PAUL J. & NORMA | 4301 GALENEZ WAY | 4301 GALENEZ WAY | |
| AR140299 | CE1408-053 | 056-100-003 | X | \$411.82 | MOTTA | MAY TRE | 5117 WOODMONT WAY | 5117 WOODMONT WAY | |
| AR140025 | CE1407-044 | 076-372-014 | X | \$411.82 | OCAMPO | ARNULFO SANDOVAL | 3724 CLAYBURN RD., ANTIOCH CA | 2009 PUTNAM ST | |
| AR140041 | CE1408-070 | 068-294-003 | X | \$345.00 | LOUDEN, LLC | | 1999 HARRISON ST, OAKLAND CA 94512 | 620 LYNN AVE | |
| AR140357 | CD1409-020 | 067-080-014 | X | \$1,225.00 | MARTIN | JAMES & UNICA | 2648 COWAN WAY, LIVERMORE, CA 94550 | 310 W 13TH ST | |
| AR140368 | CD1409-020 | 067-080-014 | X | \$675.00 | MARTIN | JAMES & UNICA | 2648 COWAN WAY, LIVERMORE, CA 94550 | 310 W 13TH ST | |
| AR140469 | CD1409-020 | 067-080-014 | X | \$2,875.00 | MARTIN | JAMES & UNICA | 2648 COWAN WAY, LIVERMORE, CA 94550 | 310 W 13TH ST | |
| AR140352 | CE1409-017 | 055-090-029 | X | \$675.00 | MONROY | ROBERTO & JOAN | 2506 HOOFTAIL WAY | 2506 HOOFTAIL WAY | |
| AR140372 | CE1409-017 | 055-090-029 | X | \$470.00 | MONROY | ROBERTO & JOAN | 2506 HOOFTAIL WAY | 2506 HOOFTAIL WAY | |
| AR140308 | CE1407-002 | 067-060-006 | X | \$411.82 | PRADO | JOSE | 1016 F STREET | 1016 F STREET | |
| AR140291 | CE1311-036 | 075-281-001 | X | \$411.82 | QUINTANILLA | OSCAR | 2113 SILVERADO DR | 2113 SILVERADO DR | |
| AR140370 | CD1409-040 | 076-192-021 | X | \$455.00 | ROGERS | CARROLL & MARY | 2703 BALBOA CT | 2703 BALBOA CT | |
| AR140316 | CE1407-028 | 076-372-020 | X | \$411.82 | ROMERO | ROMAN | 2105 PUTNAM ST | 2105 PUTNAM ST | |
| AR140297 | CE1408-077 | 055-110-063 | X | \$411.82 | SILVEZAR | PATRICIA | 2380 WHITE TAIL DR | 2380 WHITE TAIL DR | |
| AR140307 | CE1311-039 | 076-082-023 | X | \$411.82 | SUZUKI | AYUMI TRE | 2905 EL PASO WAY | 2905 EL PASO WAY | |
| AR140296 | CE1408-078 | 052-341-025 | X | \$411.82 | AMAS | THONGBENJ APINYA | 2947 CANYON VIEW CT | 2947 CANYON VIEW CT | |
| AR140295 | CE1408-040 | 072-322-009 | X | \$411.82 | USTYNIK | RONALD D. | 319 GREYSTONE DR | 319 GREYSTONE DR | |
| AR140035 | CD1409-002 | 066-158-007 | X | \$325.00 | WILSON | LINDEY A. | 215 W 6TH ST | 215 W 6TH ST | |
| AR140036 | CD1408-006 | 066-155-005 | X | \$1,225.00 | WINSTON | DON TRUST | 218 W 6TH ST | 218 W 6TH ST | |
| AR140294 | CE1408-046 | 055-250-040 | X | \$411.82 | ZEPEDA | JUAN & BLANCA | 2509 INEZ WAY | 2509 INEZ WAY | |
| AR140330 | CE1406-129 | 067-332-015 | X | \$411.82 | ADAO | PEDRO M. TRE | 2241 TRINITY PL, BRENTWOOD, CA 94513 | 924 W MADILL ST | |
| AR140304 | CE1409-017 | 055-090-029 | X | \$675.00 | MONROY | ROBERTO & JOAN | 2506 HOOFTAIL WAY | 2506 HOOFTAIL WAY | |

**STAFF REPORT TO THE ADMINISTRATIVE BOARD OF APPEALS
FOR CONSIDERATION AT THE HEARING ON JANUARY 8, 2015**

PREPARED BY: Andrew Shuck, Code Enforcement Officer *AS-*

APPROVED BY: Ryan Graham, Deputy Director of Community Development *RG*

DATE: December 17, 2014

SUBJECT: Citation 23822, 403 West 19th Street, Antioch, CA
Violation of Antioch Municipal Code §5-1.202 (D)(2)

REQUEST:

Mr. Kenny DeRespini requests a hearing to appeal Administrative Citation 23822 issued on December 2, 2014, citing violation of the **Antioch Municipal Code Sections:**

§5-1.202(D)(2)- Parking or storage of motor vehicles or other mobile equipment in any area not designated as a parking space on the approved site plan or on any unpaved surface including, but not limited to, dirt, grass or any other surface that is not concrete or a similar paving material.

BACKGROUND INFORMATION:

On 11-19-2014, I conducted a site inspection at 403 West 19th Street and observed a vehicle parked on the grass to the east of the house in the front yard area. Photo was taken (See Attachment "A").

On 11-20-2014, A Notice of Violation was mailed by first class mail to Mr. DeRespini who is shown on County Assessor's records to be the property owner. The Notice of Violation was issued for AMC §5-1.202(D)(2). It included the direction to relocate the vehicle to an improved surface such as concrete, asphalt, pavers, or gravel (See Attachment "B").

On 12-02-2014, I conducted a follow up inspection. I observed the same vehicle parked on the same unimproved surface. It appeared that the vehicle had not moved. Photos were taken (See Attachment "C"). I prepared Administrative Citation 23822 in the amount of \$100.00 for violating AMC §5-1.202(D)(2) Parking or storage of motor vehicles or other mobile equipment in any area not designated as a parking space on the approved site plan or on any unpaved surface including, but not limited to, dirt, grass or any other surface that is not concrete or a similar paving material. A re-inspection fee of \$125.00 was also issued.

JA

1-8-15

On 12-03-2014, Citation 23822 and notice of the re-inspection fee (Attachment "D") was mailed to Property Owner Kenny DeRespini at 403 W 19th Street Antioch, CA 94509.

On 12-08-2014, I conducted a follow up inspection for parking on an unimproved surface. The vehicle had been relocated to the driveway. Photo taken (See Attachment "E"). With the violation removed, the case was closed.

On 12-11-2014, I received a phone call from Mr. DeRespini. Mr. DeRespini stated he removed the vehicle from the unimproved surface the day after I had issued the citation. DeRespini stated he did not have the keys and had to work it out with a friend to move the vehicle. I advised DeRespini the case has been closed; however, the cite stands as the violation still existed at the time of my inspection. I reminded DeRespini that a notice of violation had been issued and that he had 10 days in between the notice and the first citation. DeRespini stated he guessed he will have to appeal the citation. I informed him he had that ability as long as it was within the ten day appeal period.

On 12-11-2014, Mr. DeRespini filed a Citation Appeal Application for citation 23822.

RECOMMENDATION

Recommendation to uphold the Administrative Citation issued to Kenny DeRespini for violation of the Antioch Municipal Code §5-1.202(D)(2).

ATTACHMENTS

- A: Photo dtd 11/19/14
- B: Notice of Violation
- C: Photo dtd 12/2/14
- D: Citation 23822/Notice of re-inspection fee
- E: Photo dtd 12/8/14

1 CITY OF ANTIOCH
2 Third and "H" Streets
3 P.O. Box 5007
4 Antioch, CA 94531-5007
5 925-779-7015

ADMINISTRATIVE CITATION HEARING

PURUSANT TO SECTION 1-5.05 OF ANTIOCH MUNICIPAL CODE

6 In re the Matter of:

7 KENNY DERESPINI [APPELLANT]

Citation No.: 23822 (403 WEST 19TH STREET,
ANTIOCH, CA 94509)

[PROPOSED] DECISION OF BOARD OF
ADMINISTRATIVE APPEALS

11 I. GENERAL FINDINGS:

- 12 1. City of Antioch Citation No. 23822 was upheld.
- 13 2. City of Antioch Citation No. 23822 (403 W 19th Street, Antioch, CA 94509) was duly issued on
14 December 2, 2014 citing one violation of the Antioch Municipal Code section §5-1.202(D)(2)
15 which states is it a public nuisance to have parking or storage of motor vehicles or other mobile
16 equipment in any area not designated as a parking space on the approved site plan or on any
17 unpaved surface including, but not limited to, dirt, grass or any other surface that is not concrete
18 or a similar paving material.; or is offensive to the senses; or is detrimental to the use and
19 enjoyment of nearby properties; or reduces nearby property values due to the visibility from the
20 public right-of-way.
- 21 3. The Citation concerns Municipal Code violations at 403 W 19th Street, Antioch, California. At all
22 relevant times Appellant was the owner of the property and/or the responsible party.
- 23 4. Appellant appealed Citation No. 23822 on December 11, 2014.
- 24 5. An Administrative Appeals Board Hearing regarding the appeal was set for January 8, 2015 3pm
25 at the Antioch City Council Chambers, and the Appellant was duly notified by the City Clerk.
- 26 6. Chapter 5 of Title 1 of the Antioch Municipal Code allows police officers, as well as other City
27 officials enumerated in the Municipal Code to issue administrative citations to persons
28 responsible for a violation of the Antioch Municipal Code.

II. SPECIFIC FINDINGS:

An Administrative Appeals Board Hearing regarding Appellant's appeal of the Citation was duly held
on January 8, 2015 at 3pm. Evidence, both oral and documentary, was taken and based on the
preponderance of said evidence the following specific findings are made:

1. On November 19, 2014, CEO Shuck conducted an inspection and a Notice of Violation letter was sent on November 20, 2014 to Mr. Kenny DeRespini (property owner) of 403 West 19th Street, Antioch, CA for violations of the Antioch Municipal Codes.
2. On December 2, 2014, CEO Shuck conducted another site inspection and observed violations to the Antioch Municipal Code: 5-1.202(D)(2) Parking or storage of motor vehicles or other mobile equipment in any area not designated as a parking space on the approved site plan or on any unpaved surface including, but not limited to, dirt, grass or any other surface that is not concrete or a similar paving material. An Administrative Citation 23822 was issued in the amount of \$100.00. In addition a re-inspection fee of \$125.00 was assessed.
3. On December 3, 2014, Administrative Citation 23822 in the amount of \$100.00 and notice of re-inspection fee of \$125.00 was mailed to Mr. Kenny DeRespini (property owner) of 403 West 19th Street, Antioch, CA for violations of the Antioch Municipal Codes.
4. On December 8, 2014, CEO Shuck conducted a follow up site inspection and found that the vehicle had been relocated to an improved surface and closed the case.
5. On December 11, 2014, Mr. DeRespini filed an appeal for an Administrative Hearing.
6. Appellant had continued conduct in violation of Antioch Municipal Code section §5-1.202(D)(2) despite the warnings.
7. The Board finds that the reasons given by Appellant for this violation are not credible and are not mitigations for his unlawful conduct.

Based on a preponderance of evidence, the Board finds that there was reasonable cause to issue the citation and the appeal is denied. The citation deposit amount will not be refunded.

III. NOTICE:

Notice of this decision shall be given to the Appellant, by hand delivering a copy of these Findings and Decision to Appellant or by mailing a copy by first class U.S. Mail, addressed to Kenny DeRespini 403 W 19th Street, Antioch, CA, 94509.

Dated: January 8, 2015

CHAIRPERSON OF THE BOARD

Notice of Right To Appeal Decision: Any person aggrieved by an Administrative Board of Appeals may obtain review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, pursuant to Section 53069.4 of the California Government Code.

ATTACHMENT
"A"



ATTACHMENT
"B"



NOTICE OF VIOLATION OF ANTIOCH MUNICIPAL CODE AND
MAINTAINING PUBLIC NUISANCE IN THE CITY OF ANTIOCH

To: DERESPINI KENNY C

Location of property: 403 W 19th ST ANTIOCH, CA 94509

APN: 067-223-009-1 Date of Inspection: 11-19-14 Case #: CD1411-072

The property listed above has been found to be in violation of the City of Antioch's Municipal Code. The violation(s) marked below require immediate action by the property owner/resident. Failure to correct these violation(s) by the date indicated will result in further actions being taken by the City.

Antioch Municipal Code Sections:

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | 4-16.03 Major automotive repairs in a residential district in public view |
| <input type="checkbox"/> | 5-1.201 (B) Violation of Building Code, Electrical Code, Mechanical Code, Plumbing Code, Housing Code, Health and Safety Code, |
| <input type="checkbox"/> | 5-1.202 (A1 a) Property inadequately maintained (inoperable equipment, junk, rubbish, building materials, and containers) in public view |
| <input type="checkbox"/> | 5-1.202(A2) Premises on which overgrown, dead or decayed trees, weeds or other vegetation pose a risk or harm to public, visual blight |
| <input type="checkbox"/> | 5-1.202(B) Building or structures in a state of disrepair including walls, fences, signs, retaining walls, which are broken, deteriorated |
| <input type="checkbox"/> | 5-1.202(D) Outdoor parking or storage of inoperable, wrecked, dismantled, salvaged, abandoned vehicle, or parts thereof including watercrafts |
| <input checked="" type="checkbox"/> | 5-1.202(D)(2) Parking on unimproved surface. |
| <input type="checkbox"/> | 5-1.403 Property owner shall not permit property that has been defaced with graffiti to remain |
| <input type="checkbox"/> | 8-1.02 Building permits required to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, occupy or maintain |
| <input type="checkbox"/> | 9-5.1210 Tree branches shall be trimmed at least 7 feet over the sidewalk and 14 feet over the street |
| <input type="checkbox"/> | 9-5.3830 It shall be unlawful to maintain any recreation vehicle as a temporary or permanent residence upon a lot or parcel of land within the city |
| <input type="checkbox"/> | 5-1.202(c)(1) Abandoned/unsecured or partially constructed buildings. |
| <input type="checkbox"/> | 7-2.623 No encroachment of any nature shall be permitted within the public right-of-way. |
| <input type="checkbox"/> | Other: |

Required Corrections: Within 10 calendar days from the date of this notice, you must correct the violation(s) (checked off above) or file an appeal with the office of the City Clerk. If you fail to do so, there will be a \$125.00 re-inspection fee in addition, the City may issue Administrative Citations, which carry fines that range from \$100.00 to \$1,000.00 per violation for every day the violation(s) are permitted to remain and/or take other actions to compel your compliance.

We will be conducting our follow up inspection at the end of the above deadline to confirm your compliance. Thank you in advance for your cooperation in abating these violation(s). If you have any questions, you may contact me at number indicated below during regular business hours.

Notes: REMOVE VEHICLE FROM UNIMPROVED SURFACE. ONLY PARK
VEHICLES ON AN IMPROVED SURFACE (CONCRETE, ASPHALT, PAVERS,
GRAVEL).

The property owner is responsible for all costs associated with the abatement of this nuisance including, inspection fees, hearing costs, and any costs incurred by the City if forced to abate this nuisance.

Correct Violation(s) by: 11-29-14

Request building permit(s) by: [Signature]

Officer: A. SHUCK

Phone: 925-779-6139

Date: 11-19-14

White - File / Yellow - Owner / Pink - Post

Community Development Department

P.O. Box 5007 • 200 H Street • Antioch, CA 94531-5007 • Tel: 925-779-7035 • Fax: 925-779-7034 • www.ci.antioch.ca.us

B1

ATTACHMENT
"C"



ATTACHMENT
"D"

ADMINISTRATIVE
CITATION

Citation # 23822

City of Antioch

- ☐ Police Department - (925) 779-6981
☐ Animal Control - (925) 779-6989
☒ Code Enforcement (NIS) - (925) 779- 6139
☐ Residential Rental Inspection Program (RRIP) (925) 779-

| | | | |
|--|-------|---|------------------|
| Date of Violation | Time | <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM | Day of Week |
| 12-02-14 | 1042 | | TUES |
| Location of Violation | | | |
| 403 W 19th ST | | | |
| Citation Issued To (owner/resident/business) | | | Date Issued |
| DELESPINE KENNY C | | | 12-02-14 |
| Address if different than violation | | | |
| - SAME - | | | |
| City | State | Zip | |
| ANTIOCH | CA | 94509 | |
| Driver's License | State | DOB | |
| | | | |
| Vehicle License | State | Year | Make Model Color |
| | | | |

You are being issued an Administrative Citation for the above violation(s). Additional violations may result in additional Administrative fines and/or legal action.

- ☒ 1st Violation \$100.00
☐ 2nd Violation \$200.00/\$500.00
☐ 3rd Violation \$500.00/\$1,000.00
- Refer to the back of this citation for information on paying the amount indicated.

| AMC Violation Code Section | Description of Violation(s) | Fine Amount(s) |
|----------------------------|-----------------------------|----------------|
| S-1.202(D)(2) | UNIMPROVED SURFACE | \$ 100.00 |
| | | \$ |
| | | \$ |
| | | \$ |
| | | \$ |
| TOTAL DUE: | | \$ 100.00 |

RELOCATE VEHICLE TO AN IMPROVED SURFACE.

Notes: CD1411-072

| | | |
|-----------------|-----------|----------|
| Issuing Officer | ID number | Date |
| A. SHUCK | 8312 | 12-02-14 |

TO AVOID ADDITIONAL CITATIONS, YOU MUST ABATE THE ABOVE VIOLATION(S) ON OR BEFORE: 12-07-14

Questions regarding payment of this citation, call the Finance Department, (925) 779-7055. Mail payment to:

City of Antioch
Finance Department
P.O. Box 5007

Antioch, CA 94531-5007

To pay in person, the Cashiers are located on the First Floor of City Hall, Third & "H" Streets, Antioch, California

DI



RE-INSPECTION FEE

The violation(s) as indicated on the Notice of Violation or Notice and Order have not been corrected and will require additional inspection(s). In addition to your citation, you have been assessed a re-inspection fee of **\$125.00**. This fee is due within ten (10) days from the date of this notice. Each additional inspection will also be assessed re-inspection fees.

Case #: CD1411-072 Inspection Date: 12-02-2014
Property address: 403 W 19th ST APN#: 067-233-009
Officer: A. Stuck Phone #: 779-6139 Date: 12-02-2014

White: Case File Yellow: Owner Pink: Finance

T:/CODE ENFORCEMENT/RE-INSPECTION FEE DOCUMENT

ATTACHMENT
"E"



12/08/2014 12:04



December 23, 2014

Kenny De Respini
403 W. 19th Street
Antioch, CA 94509

RE: Administrative Appeal Hearing
Property Address: 403 W. 19th Street, Antioch
Citation Date: 12/02/14
Citation #: 23822

Dear Mr. De Respini,

We are in receipt of your written appeal and \$150 payment regarding the citation received for "Specific Nuisances Prohibited: Parking and storage of vehicles and equipment – Unimproved Surface [§5-1.202(D)(2)]".

Please be advised your appeal is scheduled for **Thursday, January 8, 2015, at 4:00 p.m.** in the Council Chambers (across the breezeway from City Hall).

The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. To view the Agenda information, click on the following link and then double click 'Board of Administrative Appeals': <http://www.ci.antioch.ca.us/CityGov/agendas/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2nd Street, and the Antioch Community Center on Lone Tree Way.

This case will be heard and a decision rendered by the Board of Administrative Appeals.

A General Information sheet is enclosed to answer any questions you may have regarding the appeals.

Sincerely,


CHRISTINA GARCIA
Deputy City Clerk

cc: Code Enforcement

Enclosure

Office of the City Clerk
200 H Street
P. O. Box 5007
Antioch CA 94531-5007
Phone: (925) 779-7009/ Fax: (925) 779-7007

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**CITY OF ANTIOCH
ATTN: CITY CLERK
P.O. BOX 5007
ANTIOCH, CA 94531-5007
(925) 779-7009**

CITY OF ANTIOCH
CITY CLERK

Citation #: 23822

Name: Kenny De Respini

Property Address: 403 West 19th St Antioch CA, 94509

Mailing Address: Spremo

Home Phone: (925) 421-7919

Work Phone:

REASON FOR APPEAL

Attached Doc of reasoning

Signature

Date _____

Date 12-11-14

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DEC 11 2014

12/11/14

CITY OF ANTIOCH
CITY CLERK

To whom it may concern,

I am writing this as my right to appeal a code enforced citation notice I received from the City of Antioch. I was cited for my vehicle being parked on a grass surface that was not compliant with the city regulations of a vehicle being on gravel, pavement, pavers, or concrete. The vehicle was sitting in my yard to be closer to the street where the "For Sale" sign could be seen. I did not have the keys to the vehicle and the mechanic who had the keys was out of town for thanksgiving. Upon his return, on December 2, the cars battery had died and it took a full day to charge the battery so that it could be moved. On December 3rd, the car was moved back into the driveway. I do apologize for the inconvenience this may have caused. I hope to find a compromise for this issue being as the \$100 fine and \$125 re-inspection fee is something I cannot afford right now. Please contact me with any questions or to set up this appeal date please it would be greatly appreciated. Thank you in advance for your time and look forward to hearing from you.

Sincerely,

Kenny De Respini

Phone:(925)421-7919

Email:kennyderespini@yahoo.com

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DEC 11 2014

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CITY CLERK



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DEC 11 2014

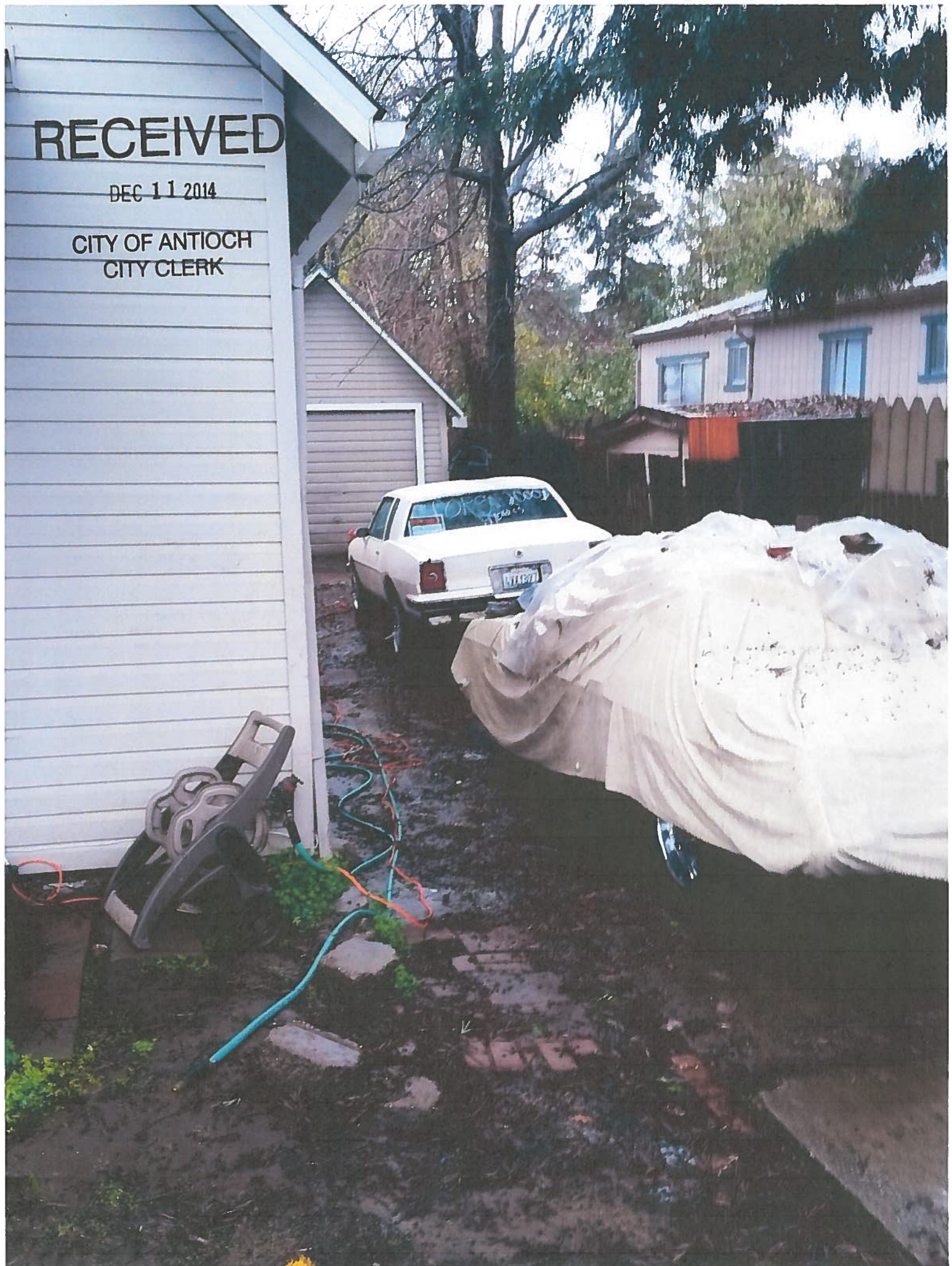
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