

Ira Leslie Lowenthal
Administrative Hearing Officer
357 Miramonte Court
Santa Rosa, CA 95409

ADMINISTRATIVE ENFORCEMENT ORDER
File No. #CE-16-0159

- 1A. Responsible Party: Jesus M. Sanchez
1B. Address: 524 Palomino Drive
Santa Rosa, CA 95401
2. Location of Violation: 624 Avalon Avenue., Santa Rosa, CA
3. Assessor Parcel Number: 010-267-001 Zoning District: R-1-6
4. Administrative hearing Officer's Decision:
- (A) Notice was given in this matter to property owners. Property owner Jesus M. Sanchez appeared and testified. Ann E. Ivan and Michael Reynolds appeared and testified on behalf of the City.
- (B) After considering all of the testimony and evidence submitted at the hearing on March 15, 2017, I make the following findings:
1. The City of Santa Rosa has proven by a preponderance of the evidence that the following violations exist against the responsible party:

STATUTE	VIOLATION
SRCC 18-20.302.3 Sidewalks and Driveways	1. Failure to maintain all sidewalks, walkways, driveways and similar areas in a proper state of repair, free from hazardous conditions.
SRCC 20-42.030C Accessory Structures and Uses	2. Erection of an accessory structure within the required side yard and rear yard setback.
SRCC 18-20.302.8 Motor Vehicles	3. ABATED

2. The City of Santa Rosa has complied with all notice requirements as required by law.
- (C) Based on these findings, I assess a penalty of \$1,000.00 (See attached Penalty Calculation Sheet) against the responsible party. In addition, the cost of the Administrative Hearing Officer of \$750.00 shall be an additional administrative cost chargeable to the responsible party.

(D) The property shall within thirty (30) days obtain proper permits and inspections to complete tree removal and work on the sidewalks to bring same in compliance with code and to either legalize or demolish the accessory structure erected within required setbacks. All work shall be completed within forty-five (45) days of permit issuance unless an extension is granted or required by City staff. **IN THE EVENT THAT THE PROPERTY OWNER SHALL TIMELY COMPLY WITH THE PROVISIONS OF THIS ORDER - ALL PENALTIES AND ADMINISTRATIVE COSTS SHALL BE WAIVED.** Failure to comply with the terms of this order shall result in collection of the penalties and administrative costs as set forth in paragraph (E) below.

(E) This shall serve as notice to the responsible party that the penalties and administrative costs are special assessments against the property where the violations occurred and if the payment is not received within thirty days of the date of this Administrative Enforcement Order, it will be confirmed by the City Council. The penalty for the late payment of assessed penalty is 7%, pro-rated daily, from the payment due date of April 19, 2017.

(F) Should the violation continue, the responsible party may be subject to additional penalties as authorized by law. The penalty for a subsequent violation within thirty-six (36) months of an initial violation is \$1,000.00 for each day the violation continues.

Dated: March 20, 2017

By Order Of: _____



Ira Leslie Lowenthal
Administrative Hearing Officer

PENALTY CALCUALATION SHEET

- 1A. Responsible Party: Jesus M. Sanchez
 - 1B. Address: 524 Palomino Drive
Santa Rosa, CA 95401
 - 2. Location of Violation: 524 Palomino Drive, Santa Rosa
 - 3. Assessor Parcel Number: 010-267-001 Zoning District: R-1-6
 - 4. The penalty for an initial violation is \$500.00 for each day the violation continues.
 - 5. Date Violations were to be corrected: March 5, 2017
 - 6. Date of Administrative Hearing: March 15, 2017
 - 7. Number of days between Line 5 and Line 6: 1 violation X \$500.00/day
X 2 days= \$1,000.00
 - 9. Administrative Costs = \$4,453.00 combined total below
 - A. Letter, meetings, hearing preparation –15hr(s). @ \$165.00 per hr. = \$2,475.00
 - B. 2 site visit(s) 5 hr(s). @ 165.00 per hr. = 1,650.00
 - C. Sr. Administrative Assistant- 1 hr(s) @ \$154.00 per hr. = 154.00
 - D. Sr. Code Enforcement Officer - 1 hr(s) @ \$174.00 per hr. = 174.00
 - 10. A. Penalty from Line 8 \$1,000.00
B. Costs from Line 9 \$4,453.00
- Total \$5,453.00**