

# Attachment 1

Ira Leslie Lowenthal  
Administrative Hearing Officer  
1729 Mariposa Drive  
Santa Rosa, CA 95405

## ADMINISTRATIVE ENFORCEMENT ORDER File No. CE01-1161

- 1A. Responsible Party: Darryl and Lynne Beardall
- 1B. Address: 609 Benicia Drive, Santa Rosa, CA 95409-3006
2. Location of Violation: 609 Benicia Drive, Santa Rosa, CA 95409-3006
  
3. Assessor Parcel Number: 182-109-007                      Zoning District: RR-20
  
4. Administrative hearing Officer's Decision:
  - (A) Appearances were made by Mark Maystrovich, Code Enforcement Officer. Property owner/responsible party, Darryl Beardall appeared. Both parties were sworn and testified.
  - (B) After considering all of the testimony and evidence submitted at the hearing on August 17, 2016, I make the following findings:

1. The City of Santa Rosa has proven by a preponderance of the evidence that the following the six (6) month stay granted pursuant to Administrative Enforcement Order dated November 30, 2015, the following violations continue to exist on the subject property:

| STATUTE  | VIOLATION  |
|--|--|
| SRCC Sec. 18-20.302.8 Motor Vehicles           | 1. Inoperative, unlicensed and dismantled vehicles parked, kept and stored on the premises.                                    |
| SRCC 20-30.110.D.2 Extended Storage or Parking | 2. Vehicles and vehicle parts stored/parked in required setbacks for an extended period for over 72 or more consecutive hours. |
| SRCC 18-20.302.1 Sanitation                    | 3. Premises not maintained in a clean, safe and sanitary condition. Accumulation of vehicles, vehicle parts and other trash    |

and debris hinder egress and access in the vent of fire or other emergency.

**Wood stored on the property suitable for burning that does not hinder egress and access in the case of fire or other emergency is not considered trash or debris and does not constitute a violation.**

3. The City of Santa Rosa has complied with all notice requirements as required by law.

(A) Based on these findings, the previously assessed penalty of \$15,000.00 plus administrative costs of \$965.00 against the responsible party is affirmed. The previously assessed cost of the Administrative Hearing Officer of \$760.00 is affirmed. Total administrative costs are \$1,725.00 are affirmed.

(B) The property owner shall pay all penalties, administrative costs and additional administrative costs in the total sum of \$16,725.00 as previously ordered.

(C) 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 December 30, 2015.

Dated: August 29, 2016

By Order Of:



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Ira Leslie Lowenthal  
Administrative Hearing Officer