



CLEARLAKE POLICE DEPARTMENT

Clearlake Police Department

14050 Olympic Drive, Clearlake, CA 95422

Timothy Hobbs | Chief of Police

NOV 05 2024

REQUEST FOR APPEAL / PUBLIC HEARING

(Aviso importante requiere traducción)

RECEIVED

\$200.00 Hearing filing fee due at time of submission of this hearing request

Appellant's Name: Leanne Watson Date: 10/25/2024
 Phone: (707)350-5299 Cell Phone: (707)350-5299
 Mailing Address: P.O. Box 354
 City: Lower Lake State: CA Zip: 95457
 Property Address (as shown on citation): 16140 Dam Rd. Clearlake, CA 95422
 A.P.N. # (as shown on citation): 010-025-020 Date of Violation: 10/22/2024

Reason of Appeal: Please see attached documents

If additional space needed, turn over

Date Received:

Appellant's Signature: *Leanne Watson* Date: 11/5/24



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To Whom It May Concern,

I am filing for an appeal for the abatement notice we have received on 10/22/2024, for parcel # 010-25-020.

Code enforcement performed an inspection on 9/3/2024 and have not been back to inspect the property since then. Over the last few weeks we have been working diligently to do as we have been asked to do. My daughter filed the paperwork for the Freedom Information Act to get a list of the complaints back in May of 2024 to also go off to see what all needs to be done and still to this date we have not received any information back for it. Even though it states we are to get it back within so many days.

The codes that are in question that we are working on are as follows and I will give an update, along with an explanation for each one.

Code 10-1.6 Declaration of Public Nuisance Conditions.

Which states it is a public nuisance for any person owning a property within the City to allow or maintain any one or more of the following conditions or activities on the property:

F. Overgrown vegetation that is:

1. Likely to harbor rats, vermin or other nuisances,
2. Causing detriment to neighboring properties,
3. Causing or adding to a fire hazard,
4. Hanging over public sidewalks.

G. Dead, decayed, diseased or hazardous trees, weeds, and other vegetation:

1. Constituting a danger to public health, safety and welfare, or
2. Detrimental to nearby property,
3. Causing or adding to a fire hazard, or
4. Unsightly.

Appeal Explanation:

We have been instructed to not cut the vegetation back yet due to the fear that it will start a fire. We have no issue doing so once the weather changes and we have a day or two of rain, we will be happy to take care of this once the ground is wet and we know that there is no longer a chance that a fire may start.

J. The accumulation or storage of junk, including tires, lumber, household appliances or parts thereof, inoperable vehicles, or parts thereof, sinks, toilets, cabinets, or other household fixtures, equipment or parts thereof, rubbish, garbage, debris, or salvage materials, which constitute visual blight and are visible from a public street, alley or adjoining property;

Appeal Explanation:

The number of cars has drastically decreased. We have been working with Burns Auto Salvage to have a majority of the vehicles removed over the last few months. We started with roughly 50 something vehicles and are down to 12 at this time.

We are still working on removing the vehicles but can only move so many per day. As for the garbage, debris, and rubbish we have taken countless trips to the dumps to remove as much as we can. But I will need more time to complete this task. I have been diligent in taking photos of the cars as they are being removed as well to be able to provide proof in case it is needed.

P. Specialty structures which have been constructed for a highly specific single use only, and which are not enclosed or shielded, and which are unfeasible to convert to other uses, and which are abandoned, partially destroyed, or are permitted to remain in a state of partial destruction or dispair, for over one (1) year, such as but not limited to: greenhouses, tanks for gas or liquid, lateral support structures and bulkheads, utility high-voltage towers and poles, utility high-rise support structures, electronic transmitting antennas and tower, structures which support or house mechanical and utility equipment and are located above the roof lines of existing buildings, freestanding chimneys and smokestacks, recreational; structures such as tennis courts and cabanas and all other specialty structures not listed in this subsection but determined to be a specialty structure by the City;

Appeal Explanation:

The structure that we believe this was pertaining to has now been removed.

Q. Presence of abandoned, dismantled, wrecked or inoperable motor vehicles, motorcycles, recreational vehicles, trailers, campers, boats or parts thereof, except:

1. When completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property, or
2. When stored or parked in a lawful manner on private property in connection with the business or a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise,

Appeal Explanation:

We have already removed the majority of the vehicles from the property. However, we were never informed of a specific limit on the number of vehicles allowed. Our property consists of multiple units, so it is reasonable for us to have multiple vehicles.

We acknowledge that the property needs to be cleaned and organized, and we are committed to making these improvements. However, I need more time to accomplish this. I am personally disabled and cannot afford to hire assistance, so most of the work falls on me. My daughter, who has the necessary knowledge about the vehicles and knows which ones to keep or discard, is currently unavailable to help.

10-1.7 Responsibility for Proper Property Maintenance.

- A. Every owner of real property within the City is required to maintain such property in a manner so as not to violate the provisions of this Chapter and such owner remains liable for violations thereof regardless of any contract or agreement with any third-party regarding such property.
- B. Every occupant, lessee, or holder of any interest in real property, other than as owner of that real property, is required to maintain such property in the same manner as is required of the owner by subsection 10-1.7a. On the owner of that property shall in no instance relieve those persons herein referred to from duty. (Ord. #159-2012)

10-1.8 Declaration of Public Nuisance.

Each condition described in subsection 10-1.6 is hereby declared to be a public nuisance, subject to abatement pursuant to the procedures set forth in this Chapter, including, without limitation by rehabilitation, demolition or repair. The procedures for abatement set forth in this Chapter shall not be exclusive and shall not in any manner limit or restrict the City from abating public nuisances in any other manner authorized by law. (Ord. #159-2012)

18-19.360 Other Accessory Structures

- A. Purpose and Intent. The purpose of this section is to establish regulations for the development of accessory structures, other than accessory dwelling units and guest quarters, such as a garage, storage shed or shop, approved as an accessory use based on the following criteria:
 - 1. Regulations on accessory structures are established to provide a distinction between uninhabitable accessory structures (e.g., garage, storage shed, shop building) and accessory living spaces (e.g., accessory dwelling units, guest quarters, office, pool house, etc.). These regulations establish standards which prevent the conversion of accessory structures into unpermitted living space to ensure that such structures are not used as separate dwelling units.
 - 2. Unpermitted conversions of accessory structures is detrimental to the public health, safety and welfare of the community.
- B. General Requirements- Accessory Structures. Are located upon the same site as the structure or use to which they are accessory. Accessory structures shall be subject to the following requirements. The Director may relax such standards or impose stricter standards as an exercise of discretion upon finding that such modifications are reasonably necessary in order to implement the general intent of this section or to protect the health, safety and welfare of the public, community and the environment.
 - 1. Accessory Structures Use and Size. Accessory structures may consist of detached structures or additions to primary structures. The use of an accessory structure is incidental and subordinate to the use of the principal structure or to the principal land use of the site.
 - 2. This section does not apply to legally established dwellings or accessory dwelling units and guest quarters.

3. This section does not apply to legally established accessory structures permitted prior to the effective date of the ordinance codified in this chapter.
4. Accessory structures shall conform to all applicable zoning regulations such as height, yards, parking, building coverage, etc.

Appeal Explanation:

The building that these codes are referring to as stated previously has been taken down.

Section 17920.3 of the California Health and Safety Code declares a public nuisance to be a substandard building, and states, in relevant part, the following: Any building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located, in which there exists any of the following listed conditions to an extent that endangers the life, limb, health, property, safety, or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building:

- (a) Inadequate sanitation shall include, but not be limited to, the following:
 10. Lack of required electrical lighting.
- (b) Structural hazards shall include, but not be limited to, the following:
 2. Defective or deteriorated flooring or floor supports.
 6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material or deterioration.
- (g) Faulty weather protection, which shall include, but not be limited to, the following:
 2. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken windows or doors.

Appeal Explanation:

Referring to the lack of required electrical lighting, I would like to know why there is no electricity when it was previously available. Code enforcement directed me to contact PG&E, which I did. However, PG&E informed me that they had no work order for the disconnection and advised me to contact code enforcement again. Yet, code enforcement has not provided an explanation. We had generators on the property to help until this issue was resolved, but they were taken without any explanation. I request the return of these generators.

Regarding the deteriorated flooring, it has been replaced. As for the roof, tiles need to be placed back on. There is a hole in my ceiling caused by the fire department, which insisted there was a fire from embers flying over from another fire. Despite our assurance that there was no fire, they went ahead and made a hole in the ceiling looking for it. After the damage was done, all they said was, "Oops, I'm sorry," and left. Any additional damage to the house can and will be repaired within a reasonable time.

This situation has caused significant stress for my family. My mother passed away a few days after an encounter with code enforcement, during which they threatened to demolish and seize the property. Last week, after receiving an abatement order on my gate, I attempted to contact code enforcement to inquire about filing an appeal. They were closed on that Friday, and when I called on Monday, I was told they were out of the office and to call back the next day. Additionally, there is no citation number on any of the documents left for me. I also had visits from animal control twice last week. One of the officers asked, "What are you going to do with the animals when they do what they are doing?" When I inquired what she meant, she replied, "Well, they can't be here when they demo the place." It is concerning that an animal control officer seems to know more about what is happening than I do regarding my own property. I find this very unprofessional.

Regarding the number of vehicles, they have been greatly reduced. Furthermore, the building in question has been removed.

I have been doing my best to manage after losing my mother. All I am asking for is a detailed list of everything that needs to be done, a list of my rights, and an answer to how many vehicles I can have on my property. I acknowledge the property needs to be cleaned and maintained, and I am willing to do this. However, I require an extension to address the remaining violations, as I can only do so much each day. I need more time to get things back in order.

Leanne Watson


Date: 11/5/24