

## DRAFT RESOLUTION

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS UPHOLDING AN ADMINISTRATIVE CITATION ISSUED TO THEODORE DEFFENBAUGH AND LAURI DEFFENBAUGH AND IMPOSING ADMINISTRATIVE COSTS

**WHEREAS**, Town staff conducted a site inspection of the property located at 16660 Cypress Way, Los Gatos, on May 30, 2024.

**WHEREAS**, During that inspection, Town staff observed four violations of Los Gatos Town Code section 6.150.010 (incorporating California Residential Code section R105.1), regarding unpermitted remodeling of a permitted accessory unit and regarding three unpermitted structures.

**WHEREAS**, During that inspection, Town staff observed a violation of Los Gatos Town Code section 12.20.010 regarding unpermitted grading associated with retaining walls and roadways.

**WHEREAS**, Town staff issued an administrative warning notice dated July 8, 2024, which notified Theodore and Lauri Deffenbaugh, the property owners, of the violations and provided them with an administrative warning and an opportunity to abate the violations.

**WHEREAS**, Town staff conducted a site inspection of the property located at 16660 Cypress Way, Los Gatos, on September 13, 2024 and determined that the violations of the Town Code had not been abated.

**WHEREAS**, Previous unsuccessful efforts by Town staff to abate violations of Town Code sections 6.150.010 (incorporating California Residential Code section R105.1) and 12.20.010 at 16660 Cypress Way, Los Gatos, included issuing two written administrative warnings to Theodore and Lauri Deffenbaugh dated July 17, 2019 and August 22, 2019.

**WHEREAS**, After Theodore and Lauri Deffenbaugh failed to abate the violations set forth in the abatement warning dated July 8, 2024, Town staff issued an administrative citation on September 16, 2024, imposing daily penalties, as authorized by the Town Code, in the amount of \$11,100.00.

**WHEREAS**, Town staff seek to recover costs of enforcement in the amount of \$5,824.26 according to proof as provided by the Town Code.

ATTACHMENT 6

**WHEREAS**, Theodore and Lauri Deffenbaugh requested and received a public hearing before the Town Council, on December 17, 2024, to appeal the administrative citation.

WHEREAS, an appeal hearing was conducted on January 21, 2025.

WHEREAS, the appeal hearing was continued to March 4 2025, to allow the Town Council to review December 13, 2024, correspondence from the appellant.

WHEREAS, the continued appeal hearing was held on March 4, 2025.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Los Gatos does hereby declare, determine, and order as follows:

1. The administrative citation issued to Theodore and Lauri Deffenbaugh on September 16, 2024 is UPHELD in the amount of \$11,100.00.
2. Administrative costs are imposed in the amount of \$5,824.26.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 4<sup>th</sup> day of March, 2025, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

\_\_\_\_\_  
MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

\_\_\_\_\_

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DRAFT