



Town of Los Gatos

Administrative Warning/Citation

Code Compliance
110 E. Main Street
Los Gatos, CA 95030
(408) 399-5746
PLADMCIT

Date Issued: 9/16/24 Time: _____

Code Compliance Violation NO. VL- 19-362 Zone: _____

Violation Address: 16660 Cypress Way Town: Los Gatos State: CA Zip: 95030

Name (Responsible person/business): Theodore and Lauri Deffenbaugh

Mailing Address: _____

Town/City: _____ State: _____ Zip: _____ Same as Violation Address

Document Issued: WARNING CORRECTION NOTICE ADMINISTRATIVE CITE

Issuing Department: CDD Compliance Date: 9/8/24 Inspection Date: 9/13/24

The total penalty is now due. Instructions for payment are listed on reverse page.

In order to comply with the Los Gatos Town Code, you will need to:

Obtain building permit for ADU remodel at 16664 Cypress Way. Obtain demolition permit and demolish approximately 124 sf office structure beside ADU, 197 sf storage structure behind ADU, and 294 sf garage structure adjacent to pool. Obtain retaining wall permit for unpermitted retaining walls. Obtain grading permit for unpermitted grading. Violations are accrued on a daily basis after the compliance date. \$100.00 for first violation, \$250.00 for second violation, \$500.00 for every violation thereafter. This citation is for September 9-13, 2024. *See attached for breakdown

Code Section	Description	Penalty Amount
6.150.010 (R105.1)	Permit required (4 buildings, 1 retaining wall)	\$9250.00
12.20.010	Grading permit required (grading associated with retaining walls and roadways)	\$1850.00

Photos Taken: (Circle one) YES / NO Quantity: 3 photos Total: \$11,100.00

Appeal of this Administrative Citation may be made by filling out a Hearing Request. Contact the Town of Los Gatos Community Development Department, 110 E. Main Street, Los Gatos, CA 95030 or by e-mail at CodeCompliance@LosGatosCA.gov for an application. Additional citations may be issued each day the violation exists.

NOTE: PERMIT(S) FROM THE PLANNING, BUILDING AND/OR PARKS AND PARKS AND PUBLIC WORKS DEPARTMENTS MAY ALSO BE REQUIRED FOR VIOLATIONS INVOLVING STRUCTURES, GRADING, ENCROACHMENTS AND TREE REMOVALS. WORK PERFORMED WITHOUT THE REQUIRED PERMIT(S) AND TOWN INSPECTION IS A VIOLATION OF THE TOWN OF LOS GATOS TOWN CODE AND WILL NOT QUALIFY AS COMPLIANCE.

Issuing Official: Allen Meyer Badge/Title NO.: Code Compliance Officer

Signature: Date: 9/16/24 Phone: 408-399-5746

Signature: _____ Print Name: _____

Proof of Service: Via US Mail and email on September 16, 2024

Order: You are ordered to immediately cease the commission of the Town Code violation(s) listed on the front of this Administrative Citation.

Administrative Citation: Pursuant to Chapter 1.30.010 through 1.30.070 of the Town of Los Gatos Town Code, if you continue to repeat the commission of the Town Code violation(s) listed on this Administrative Citation, the Town may issue you another Citation or pursue any other legal remedy available to the Town against you.

Payment of Penalty: The amounts of the penalties for code violation(s) of the Los Gatos Town Code are listed on the front of this Administrative Citation. The penalty shall be paid to the Town within thirty (30) days from the date of the Administrative Citation.

You may pay and deliver the Administrative fine(s) to the Town by mail or in person at the Town of Los Gatos Finance Department, 110 E. Main Street, Los Gatos, CA 95030. Payment should be in the form of a personal check payable to the Town of Los Gatos or cash. Unless you have requested a hearing to contest the Administrative Citation, you will be subject to the imposition of a 10% late payment penalty, plus interest, if you fail to pay the Administrative fine(s) by the due date. Payment of Administrative fines does not excuse or discharge any continuation or repeated occurrence of the Town Code violation(s) listed on this Administrative Citation.

Hearing Request: Any recipient of an Administrative Citation may appeal the Citation by completing a hearing request form and returning it to the Town within thirty (30) days from the date of the Administrative Citation together with an advance deposit of the total penalty amount or advance deposit hardship waiver (explained below) application form as described in Section 1.30.035. The Hearing Request form can be obtained by calling (408) 399-5746 or from the Town of Los Gatos Community Development Department, 110 E. Main Street, Los Gatos, CA 95030. You will be notified of the date and time set for your hearing at least ten (10) days prior to the date of the hearing. If you fail to appear at your hearing, this failure shall constitute a forfeiture of the penalty and no further administrative remedy is available.

Advance Deposit Hardship Waiver: Any person who intends to request a hearing to appeal an Administrative Citation, and who is financially unable to make the advance deposit of the penalty as required in Section 1.30.070, may file a request for an advance deposit hardship waiver which shall include a sworn affidavit. The waiver form can be obtained at the Town of Los Gatos Community Development Department, 110 Main Street, CA 95030. The decision to waive this requirement is made by the Town Manager. The request shall be filed, along with the request for hearing form, with the Town Attorney's Office on an advance deposit hardship waiver application form, available from the Town of Los Gatos Community Development Department, within thirty (30) days of the date of the Administrative Citation.

Late Payment Charges: Any person who fails to pay to the Town any penalty imposed pursuant to the provision of this Article on or before the date that penalty is due also shall be liable for the payment of any applicable late payment charges set forth in the schedule of penalties.

Right to Judicial Review: Any person aggrieved by an administrative decision of the Hearing Officer on an Administrative decision by filing a petition for review with the Supreme Court in Santa Clara County in accordance with the time and provision set forth in California Government Code Section 53069.4.



**TOWN OF LOS GATOS
CODE COMPLIANCE DIVISION**

September 16, 2024

Theodore and Lauri Deffenbaugh
16660 Cypress Way
Los Gatos, CA 95030

Re: Code violations at 16660 Cypress Way, Los Gatos

On July 8, 2024, an Administrative Warning was issued to you regarding the necessity of a building permit for a remodel of the ADU above the garage, a demolition permit for a 124 square foot office structure, a demolition permit for 197 square foot storage structure, and a demolition permit for 294 square foot garage structure.

On July 17, 2019, an Administrative Warning was issued regarding the necessity of a retaining wall permit and grading permit for the unpermitted retaining wall work. An Architectural and Site Application was applied for on July 9, 2021, for the unpermitted grading and retaining walls. The Town provided Technical Review comments on January 31, 2024, with a reply date of July 31, 2024. No re-submittals have been received to date.

Below is the dollar amount breakdown of the citation issued on September 16, 2024. Violations are accrued on a daily basis after the compliance date. \$100.00 for first violation, \$250.00 for second violation, \$500.00 for every violation thereafter.

Four demolition permits and one retaining wall permit (September 9-13, 2024):

September 9, 2024- five permits x \$100.00 = \$500.00
September 10, 2024- five permits x \$250.00=\$1250.00
September 11, 2024- five permits x \$500.00=\$2500.00
September 12, 2024- five permits x \$500.00=\$2500.00
September 13, 2024- five permits x \$500.00=\$2500.00
=\$9250.00

One grading permit (September 9-13, 2024):

September 9, 2024 - one permit x \$100.00 = \$100.00
September 10, 2024 - one permit x \$250.00=\$250.00
September 11, 2024 - one permit x \$500.00=\$500.00
September 12, 2024 - one permit x \$500.00=\$500.00
September 13, 2024 - one permit x \$500.00=\$500.00
=\$1850.00

I can be reached at ameyer@losgatosca.gov or at 408-399-5746 if you should have any questions.

Respectfully yours,

A handwritten signature in cursive script that reads "Allen Meyer".

Allen Meyer
Code Compliance Officer
Town of Los Gatos

cc: Lance Bayer, Special Council
Gabrielle Whelan, Town Attorney
Sean O'Neill, Esq.



09/13/2024 15:17



09/13/2024 15:16



DECLARATION OF SERVICE BY MAIL

State of California, County of Santa Clara

I am employed in the County of Santa Clara, State of California. I am over the age of eighteen (18) and not a party to the within cause or claim. My business address is 110 E. Main Street, Los Gatos, CA 95030.

Alternative No. 1

I served the foregoing document _____ (Name of Document) by depositing a true copy thereof in the United States mail in _____ (Location), State of California, on _____, enclosed in a sealed envelope, with fully prepaid postage thereon, addressed as follows: (Name and Address of Claimant)

Alternative No. 2

I am familiar with the practice of Town of Los Gatos's (Name of Entity) collection and processing of correspondence for mailing within the United States Postal Service. Under that practice, correspondence is deposited with the United States Postal Service the same day it is submitted for mailing. I placed the foregoing document _____ (Name of Document) by placing a true copy thereof for collection and mailing, in the course of ordinary business practice, with other correspondence of Town of Los Gatos (Name of Entity), located at 16660 Cypress Way (citation) (Entity Address), on September 16, 2024, enclosed in a sealed envelope, with fully prepaid postage thereon, addressed as follows: (Name and Address of Claimant)
Theodore and Lauri Deffenbaugh, 16660 Cypress Way, Los Gatos, CA 95030

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Los Gatos (City), California, on September 16, 2024 (Date)

Allen Meyer
(Type or Print Name)


(Signature)