



MINUTES

July 22, 2021

BOARD OF APPEALS HEARING

3:00 p.m.
City Council Chambers
311 Vernon Street
Roseville, CA

1. CALL TO ORDER

Chairperson Arthur Pauly, Jr. called the meeting to order at 3:01 p.m. in the City Council Chambers. (Panel member Greene entered the City Council chambers just after the meeting was called to order.)

2. ROLL CALL (SILENT)

The following Hearing Panel members were present:

Arthur Pauly, Jr.

Andrew Haydu

Ivann Greene

The following Staff members were present:

Joseph Speaker

Assistant City Attorney

My Tien Doan

Deputy City Attorney

Lynda Risucci

Legal Clerk

3. IDENTIFICATION OF CHAIR

Chairperson for the July 22, 2021 hearing was Arthur Pauly, Jr.

4. PLEDGE OF ALLEGIANCE

Chairperson Arthur Pauly, Jr. led the audience in the Pledge of Allegiance.

5. PUBLIC COMMENT

No one from the public offered any comments.

6. SWEAR IN

Chairperson Arthur Pauly, Jr. administered the Oath to those in attendance who would be offering testimony at the hearing.

7. MATTERS TO BE HEARD

7.1. Citation No. 20669:

Appellant: Carolyn Watters

- Roseville Municipal Code Section 16.35.110, Abatement of Substandard Buildings – Dangerous Building
- Roseville Municipal Code Section 19.22.030(C)(2)(d)(i), Accessory Structures, Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two Family), Unenclosed Structures – Five Foot Setback

A. Staff Report:

Code Enforcement Officer Ranjit Dosanjh offered testimony in regards to the staff materials in Exhibit A and answered panel questions.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative.

Complainant's Statement:

Complainant, Gary Valestrino, presented Exhibit B, and offered testimony in support of the complaint and answered panel questions.

Exhibit B:

- Text Message exchange between Complainant and Appellant of November 20-21, 2021.

B. Appellant's Response:

Exhibit C:

(Appellant's Exhibit C was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on February 08, 2021.

Appellant Carolyn Watters presented Exhibit D, and offered testimony in support of the appeal and answered panel questions.

Exhibit D:

- 18 Pages of Photographs and Documents.

C. Rebuttals and Panel Questions:

Ranjit Dosanjh offered rebuttal testimony and answered panel questions.

Carolyn Watters offered rebuttal testimony and answered panel questions.

D. Panel Discussion:

The panel discussed the evidence and testimony presented for Administrative Citation No. 20669.

In regard to Roseville Municipal Code Section 16.35.110, a motion was made by Andrew Haydu and seconded by Ivann Greene to grant the appeal and dismiss the charge at the request of the City.

The motion passed with the following vote:

AYES: Andrew Haydu, Ivann Greene, Arthur Pauly, Jr.

NOES: None

In regard to Roseville Municipal Code Section 19.22.030(C)(2(D))(i), a motion was made by Andrew Haydu and seconded by Ivann Greene to uphold the citation, but waive the fine in the interest of justice.

The motion passed with the following vote:

AYES: Andrew Haydu, Ivann Greene

NOES: Arthur Pauly, Jr.

E. Panel Decision:

The panel decided to grant the appeal of Administration Citation No. 20669 and dismiss the charge of Roseville Municipal Code Section 16.35.110, at the request of the City.

Regarding Roseville Municipal Code Section 19.22.030(C)(2)(d)(i), the panel decided to uphold the citation, but waive the fine in the interest of justice

Chairperson Arthur Pauly, Jr. signed the decision form, asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

7.2. Citation No.: 22958

Appellant: James Verandes

- Roseville Municipal Code Section 19.10.030(F)(1)(b), Residential Zone Development Standards – Landscaping Requirements in Setback Areas, Single-Family and Two-Family Dwellings, Front Yard and Street Side-Yard Setbacks

A. Staff Report:

Code Enforcement Officer Ranjit Dosanjh offered testimony in regards to the staff materials in Exhibit A and answered panel questions.

Per RMC Section 2.50.060(D), the Staff Report was submitted to the City of Roseville Attorney's Office prior to the hearing, and was provided to the Appellant and the panel members in advance of the hearing.

Exhibit A:

- Staff Report including case history and narrative.

B. Appellant's Response:

Exhibit B:

(Appellant's Exhibit B was provided to the panel in advance of the hearing for review.)

- Request for Hearing form, received by the Roseville City Attorney's Office on January 14, 2020.

Appellant James Verandes presented Exhibit C, and offered testimony in support of the appeal and answered panel questions.

Exhibit C:

- Four photographs.

C. Rebuttals and Panel Questions:

Appellant James Verandes offered rebuttal testimony and answered panel questions.

D. Panel Discussion:

The panel discussed the evidence and testimony presented for Administrative Citation No. 22958.

In regard to Roseville Municipal Code Section 19.10.030(F)(1)(b), a motion was made by Ivann Greene and seconded by Andrew Haydu to uphold the citation, but waive the fine in the interest of justice.

The motion passed with the following vote:

AYES: Andrew Haydu, Ivann Greene, Arthur Pauly, Jr.

NOES: None

E. Panel Decision:

The panel decided to uphold the appeal of Administration Citation No. 22958, but waived the fine in the interest of justice.

Chairperson Arthur Pauly, Jr. signed the decision form, asked the Appellant to see staff for the paperwork, and informed the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

8. ADJOURNMENT

A motion was made by Ivann Greene and seconded by Andrew Haydu to adjourn the hearing.

AYES: Andrew Haydu, Ivann Greene, Arthur Pauly, Jr.

NOES: None

Chairperson Arthur Pauly, Jr. adjourned the July 22, 2021 hearing at 4:00 p.m.

Lynda Risucci
Legal Clerk