



MINUTES

June 23, 2022

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.

2. ROLL CALL (SILENT)

The following Hearing Panel members were present:

Deanna Erdman

Arthur Pauly, Jr.

Thomas Rutherford

The following Staff members were present:

My Tien Doan

Deputy City Attorney

Lynda Risucci

Legal Clerk

3. IDENTIFICATION OF CHAIR

Chairperson for the June 23, 2022 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. 20690

Appellant: Mary Jo Eberle

- Roseville Municipal Code Section 10.54.020(G), Nuisances, Activities in Areas Zoned for Residential Use – Vehicle Repair

The Appellant, Mary Jo Eberle was not present. Per the Administrative Standards procedures, the item was trailed to allow Mary Jo Eberle 15 minutes from the commencement of the hearing to appear.

At 3:15 p.m., the Appellant, Mary Jo Eberle, was not present. According to the Administrative Standards procedures, if the Appellant fails to appear for the hearing within 15 minutes after the hearing commences, the Appellant's appeal will be automatically denied.

A. Staff Report:

Code Enforcement Inspector Alan Rogers was present but did not offer testimony because the Appellant was not present.

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 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 March 11, 2022.

C. Rebuttals and Panel Questions:

No rebuttal testimony or panel questions were presented.

D. Panel Decision:

The panel discussed the evidence presented for Administrative Citation No. 20690.

In regard to Roseville Municipal Code Section 10.54.020(G), a motion was made by Thomas Rutherford and seconded by Deanna Erdman to deny the appeal and uphold the citation because the appellant failed to appear.

The motion passed with the following vote:

AYES: Deanna Erdman, Arthur Pauly, Jr., Thomas Rutherford

NOES: None

Chairperson Arthur Pauly, Jr. signed the decision form, which includes notice to the parties that they may file a petition for review with the Superior Court in Placer County within 20 days.

7.2. Citation No. 20661:

Appellant: Mary Jo Eberle

- Roseville Municipal Code Section 10.54.020(D)(3), Nuisances, Property Inadequately Maintained, Garbage or Rubbish
- Roseville Municipal Code Section 10.54.020(G), Nuisances, Activities in Areas Zoned for Residential Use – Unauthorized Dismantling of Vehicles, Third Offense
- Roseville Municipal Code Section 11.20.100(C), Driving or Parking on Parks, Playgrounds and City Property - Sidewalk

The Appellant, Mary Jo Eberle was not present. Per the Administrative Standards procedures, the item was trailed to allow Mary Jo Eberle 15 minutes from the commencement of the hearing to appear..

At 3:15 p.m., the Appellant, Mary Jo Eberle, was not present. According to the Administrative Standards procedures, if the Appellant fails to appear for the hearing within 15 minutes after the hearing commences, the Appellant's appeal will be automatically denied.

A. Staff Report:

Code Enforcement Inspector Alan Rogers was present but did not offer testimony because the Appellant was not present.

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 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 April 12, 2022.

C. Rebuttals and Panel Questions:

No rebuttal testimony or panel questions were presented.

D. Panel Decision:

The panel discussed the evidence presented for Administrative Citation No. 20661.

In regard to Roseville Municipal Code Section 10.54.020(D)(3), a motion was made by Thomas Rutherford and seconded by Deanna Erdman to deny the appeal and uphold the citation because the appellant failed to appear.

The motion passed with the following vote:

AYES: Deanna Erdman, Arthur Pauly, Jr., Thomas Rutherford

NOES: None

In regard to Roseville Municipal Code Section 10.54.020(G), a motion was made by Thomas Rutherford and seconded by Deanna Erdman to deny the appeal and uphold the citation because the appellant failed to appear.

The motion passed with the following vote:

AYES: Deanna Erdman, Arthur Pauly, Jr., Thomas Rutherford

NOES: None

In regard to Roseville Municipal Code Section 11.20.100(C), a motion was made by Thomas Rutherford and seconded by Deanna Erdman to deny the appeal and uphold the citation because the appellant failed to appear.

The motion passed with the following vote:

AYES: Deanna Erdman, Arthur Pauly, Jr., Thomas Rutherford

NOES: None

Chairperson Arthur Pauly, Jr. signed the decision form, which includes notice to 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 Thomas Rutherford and seconded by Deanna Erdman to adjourn the hearing.

AYES: Deanna Erdman, Arthur Pauly, Jr., Thomas Rutherford

NOES: None

Chairperson adjourned the June 23, 2022 hearing at 3:17 p.m.

Lynda Risucci
Legal Clerk