



MINUTES

May 10, 2022

BOARD OF APPEALS HEARING 9:00 a.m. City Council Chambers 311 Vernon Street Roseville, CA

1. CALL TO ORDER

Chairperson Bruce Hagler called the meeting to order at 9:00 a.m. in the City Council Chambers.

2. ROLL CALL (SILENT)

The following Hearing Panel members were present:

Bruce Hagler
Tom Rutherford

The following Staff members were present:

My Tien Doan	Deputy City Attorney
Lynda Risucci	Legal Clerk

3. IDENTIFICATION OF CHAIR

Chairperson for the May 10, 2022 hearing was Bruce Hagler.

4. PLEDGE OF ALLEGIANCE

Chairperson Bruce Hagler led the audience in the Pledge of Allegiance.

5. PUBLIC COMMENT

No one from the public offered any comments.

6. SWEAR IN

Chairperson Bruce Hagler administered the Oath to those in attendance who would be offering testimony at the hearing.

7. MATTERS TO BE HEARD

7.1. Citation No. 20772:

Appellant: Bud Aufdenkamp

- Roseville Municipal Code Section 19.22.030(C)(3)(b), Accessory Structures – Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two-Family), Enclosed Structures

A. Staff Report:

Code Enforcement Inspector Alan Rogers offered testimony in regard 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 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 January 03, 2022.

Appellant Bud Aufdenkamp offered testimony in support of the appeal.

C. Rebuttals and Panel Questions:

No rebuttal testimony was offered.

Appellant Bud Aufdenkamp answered panel questions.

Code Enforcement Inspector Alan Rogers answered panel questions.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No. 20772.

In regard to Roseville Municipal Code Section 19.22.030(C)(3)(b), a motion was made by Tom Rutherford and seconded by Bruce Hagler to deny the appeal and uphold the citation because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Bruce Hagler, Tom Rutherford

NOES: None

Chairperson Bruce Hagler 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. 20687

Appellant: Michael Capo

- Roseville Municipal Code Section 19.22.030(C)(2), Accessory Structures – Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two-Family), Unenclosed Structures

A. Staff Report:

Code Enforcement Inspector Saul Chacon offered testimony in regard 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 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, 2022.

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

Exhibit D:

- Correspondence dated January 28, 2022 addressed to Deputy City Attorney, My Tien Doan.
- Five pages of a Petition signed by Capos' neighbors.
- Print out of Carport Car Canopy purchased from Amazon.com
- Five photographs of structure

C. Rebuttals and Panel Questions:

No rebuttal testimony was offered.

Michael and Joanne Capo answered panel questions.

Code Enforcement Inspector Saul Chacon answered panel questions.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No. 20687.

In regard to Roseville Municipal Code Section 19.22.030(C)(2), a motion was made by Tom Rutherford and seconded by Bruce Hagler to deny the appeal and uphold the citation because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Bruce Hagler, Tom Rutherford

NOES: None

Chairperson Bruce Hagler 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.

7.3. Citation No. 20664

Appellant: Vitali/Valentina Mudrenco

- Roseville Municipal Code Section 19.22.030(5)(a)(i), Accessory Structures – Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two-Family), Fences and Walls – Clear Vision Triangle
- Roseville Municipal Code Section 19.22.030(5)(a)(ii), Accessory Structures – Permitted Accessory Structures to Dwelling Use Type (Single-Family and Two-Family), Fences and Walls – Required Front Setback

A. Staff Report:

Code Enforcement Inspector Saul Chacon offered testimony in regard 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 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 07, 2022.

Appellant Valentina Mudrenco and witness Leslie Adler offered testimony in support of the appeal and answered panel questions.

C. Rebuttals and Panel Questions:

No rebuttal testimony was offered.

Code Enforcement Inspector Saul Chacon answered panel questions.

Appellant Valentina Mudrenco and witness, Leslie Adler, answered panel questions.

D. Panel Decision:

The panel discussed the evidence and testimony presented for Administrative Citation No. 20664.

In regard to Roseville Municipal Code Section 19.22.030(5)(a)(i), a motion was made by Tom Rutherford and seconded by Bruce Hagler to deny the appeal and uphold the citation because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Bruce Hagler, Tom Rutherford

NOES: None

In regard to Roseville Municipal Code Section 19.22.030(5)(a)(ii), a motion was made by Tom Rutherford and seconded by Bruce Hagler to deny the appeal and uphold the citation because the City proved by a preponderance of the evidence that the violation occurred and that the appellant is the responsible party.

The motion passed with the following vote:

AYES: Bruce Hagler, Tom Rutherford

NOES: None

Chairperson Bruce Hagler 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 Tom Rutherford and seconded by Bruce Hagler to adjourn the hearing.

AYES: Bruce Hagler, Tom Rutherford

NOES: None

Chairperson Bruce Hagler adjourned the May 10, 2022 hearing at 10:16 a.m.

Lynda Risucci
Legal Clerk