

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

MEMBERS

Randall Hamerly, Chair
Chandra Thomas, Vice Chair
Jarrod Miller, Commissioner
Jessica Sutorus, Commissioner
Vacant, Commissioner

REGULAR MEETING

October 3, 2023
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

STAFF

Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Angela Tafolla, Associate Planner
Travis Trejo, Assistant Planner
Camille Goritz, Administrative Assistant III
Matt Bennett, Assistant Public Works Director
Matt Wirz, Building Official
Scott Rice, City Landscape Architect

MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

CITY OF HIGHLAND • 27215 BASE LINE • HIGHLAND, CALIFORNIA 92346 • (909) 864-6861 ☎ • (909) 862-3180 📠

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance, please contact the City Clerk's office at (909) 864-6861, ext. 226, at least 72 hours prior to the meeting for any requests for reasonable accommodation to include interpreters.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the Planning Commission, less than 72 hours prior to that meeting, are available for public inspection at Highland City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

Submission of Public Comments: For those wishing to make public comments by email, please submit your comments by email to be read aloud at the meeting. Email comments must be submitted by 5:00 p.m. on October 3, 2023 to publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the October 3, 2023 agenda, please identify the agenda item number in the subject line.

For those wishing to make public comments regarding a public hearing item please identify the agenda item in the subject line. Comments can be submitted any time prior to the meeting, as well as during the meeting up until the close of the public hearing on the corresponding item to be considered part of the record. Please email your comments at publiccomment@cityofhighland.org.

Members of the public will be permitted to make public comments in person.

**PLANNING COMMISSION
REGULAR MEETING AGENDA
October 3, 2023 - 6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

To address the Planning Commission, please complete a speaker form located at the entrance and give it to the Administrative Assistant prior to the beginning of the meeting. Your name will be called when it is your turn to speak. Individual speakers are limited to three minutes each. Comments received via email by October 3, 2023, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes.

PUBLIC HEARINGS

1. Design Review Application (DRA 21-007A) [Amending Design Review Application (DRA 21-007)] for the addition of two (2) new floor plan options and the elimination of single-story plans on non-corner lots for the final 52 of the 149 homes within Phase 1 of the Mediterra Planned Development. (North side of Greenspot Road approximately 600 feet east of Santa Paula Street. Tract Map No. 18893-1) (Applicant: D.R. Horton)

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2023-____, approving amended Design Review Application (DRA 21-007A) for the addition of two (2) new floor plan options and the elimination of single-story plans on non-corner lots for the final 52 of the 149 homes within Phase 1 of the Mediterra Planned Development, subject to the Conditions of Approval, and the Findings of Fact;
2. A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Property generally located at 25541 Amanada St., San Bernardino, CA 92404 Tax Assessor's Parcel Number 0273-251-36. (Property Owner: Bryant and Rogelio Meza)

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution 2023-____, declaring the existence of a public nuisance on the property generally located at 25541 Amanda St., San Bernardino, CA 92404 and order the abatement therefore.

ANNOUNCEMENTS

ADJOURN

I, Camille Goritz, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 28th of September 2023 by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: September 28, 2023



Camille Goritz Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: October 3, 2023

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director *KS*

PREPARED BY: Travis Trejo, Assistant Planner *TT*

SUBJECT: Design Review Application (DRA 21-007A) [Amending Design Review Application (DRA 21-007)] for the addition of two (2) new floor plan options and the elimination of single-story plans on non-corner lots for the final 52 of the 149 homes within Phase 1 of the Mediterra Planned Development.

LOCATION: North side of Greenspot Road approximately 600 feet east of Santa Paula Street. Tract Map No. 18893-1

APPLICANT: D.R. Horton

RECOMMENDATION: Staff recommends the Planning Commission:

- 1) Adopt Resolution No. 2023-____, approving amended Design Review Application (DRA 21-007A) for the addition of two (2) new floor plan options and the elimination of single-story plans on non-corner lots for the final 52 of the 149 homes within Phase 1 of the Mediterra Planned Development, and the Findings of Fact;

FISCAL IMPACT: The Applicant submitted the required deposit fee for processing a Design Review Application. Staff time spent working on the applications will be charged to this deposit.

PUBLIC NOTICE: As required by City Council Resolution, notice of the public hearing was posted at the City's three designated posting locations. The notice was posted on the City's website, mailed to property owners within 300 feet of the project site and to

Approved _____	Motion _____	Second _____	Agenda Item No. <u>1</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

Design Review Application (DRA 21-007)

In August of 2021, the Highland City Council approved Design Review Application (DRA 21-007) for the analysis of a site plan, building elevations, rough grading plan, conceptual landscape plan, and model home complex regarding the construction of a 149 single-family home community, a public park, public trails, a private common area, a private community pool, and recreation center within Phases 1 & 2 of the Mediterra Planned Development.

PROJECT REVIEW/ANALYSIS:

98 units have been constructed by D.R. HORTON to date, due to buyer preference the Applicant is requesting the approval of Design Review Application (DRA 21-007A) for the addition of two (2) new floor plan options (Plan 8 & Plan 9) and elimination of single-story plans on non-corner lots for the final 52 of the 149-home development.

The proposed floor plan additions fall within phase 1 of the development, which is located toward the northwest area of the project site and is comprised of 98 residential lots within Planning Area 1, specifically lot numbers 1 through 88 and 671 through 680. At a total acreage of 25.8 acres, residential lots within phase 1 will range from a minimum of 6,500 square feet up to 10,300 for the larger lots. Phase 1 will feature four distinct models of homes in both one and two-story configurations. Beginning from Plan 4, at 2,319 square feet, ranging up to Plan 9, at 3,172 square feet, the various floor plans each offer a 4 bedroom and 3 full bathroom layout with an additional bedroom available as an option on Plan 5.

Twenty-five (25) of the previously approved floor plans will be replaced with fourteen (14) Floor Plan 8's and nine (9) Floor Plan 9's.

Design Elements

The design characteristics of the new floor plans proposed by the Applicant include three (3) of the four (4) architectural styles approved for the Mediterra Planned Development (Exhibit 4 –Elevations & Materials / Colors).

Santa Barbara Style

The Santa Barbara elevation, similar to the Italianate with its arched, extended porches, features more of a mission-style architecture with white-washed stucco walls and warm, earth tone accent trims. The arched porches are also accentuated by brick trims and door frames. Additionally, the simple, low-pitched gable roof, plantation shutters, and s-tile awnings over the windows add to the mission-like architecture seen on many of the buildings in the Santa Barbara area.

ENVIRONMENTAL REVIEW: This development of 149 single-family homes was anticipated the 2016 Initial Study / Mitigated Negative Declaration and 2020 Addendum prepared for the Mediterra Planned Development and certified by the City of Highland City Council on March 8, 2016 & December 8, 2020. The project shall thus comply with the Mitigation Monitoring and Reporting Program adopted concurrently with Mitigated Negative Declaration (ENV 15-006). The replacement of two (2) approved floor plan options with two (2) new floor plan options and elimination of single-story plans on non-corner lots will pose not environmental impact. No further action is required.

ANALYSIS: Staff finds this proposal to complement both the natural surroundings and already developed adjacent communities. With Italianate, Santa Barbara, and Tuscan influenced architecture that embraces the Mediterranean appeal, this development complies with the visual aspirations discussed in the Mediterra Planned Development Document. These revisions will better assist the applicant in selling the remaining tracts.

As discussed in various sections of this report, the design elements proposed by the Applicant are very much in compliance with the Mediterra Planned Development Document regarding plan elevations in Chapter 7 and community features in Chapter 8.

Additionally, Planning Condition No. 25, as part of the approval of Tract Map No. 18893, requires that "No more than three (3) two-story residence shall be constructed on adjacent lots unless otherwise approved by the Planning Commission". Per the Applicant's plot plan submittal, there are, with the exception of a few instances, consecutive two-story residences throughout the tract while still maintaining single story residences on the corners. Staff is seeking the Planning Commission's direction on these issues.

EXHIBITS:

- 1) Area Map
- 2) Plot Plan (Large set only)
- 3) Elevations & Materials / Colors (8.5 x 17)
- 4) Site Plan (Large set only)

ATTACHMENTS:

- 1) Planning Commission Resolution No. 2023 - _____ for Design Review Application (DRA 21-007A)

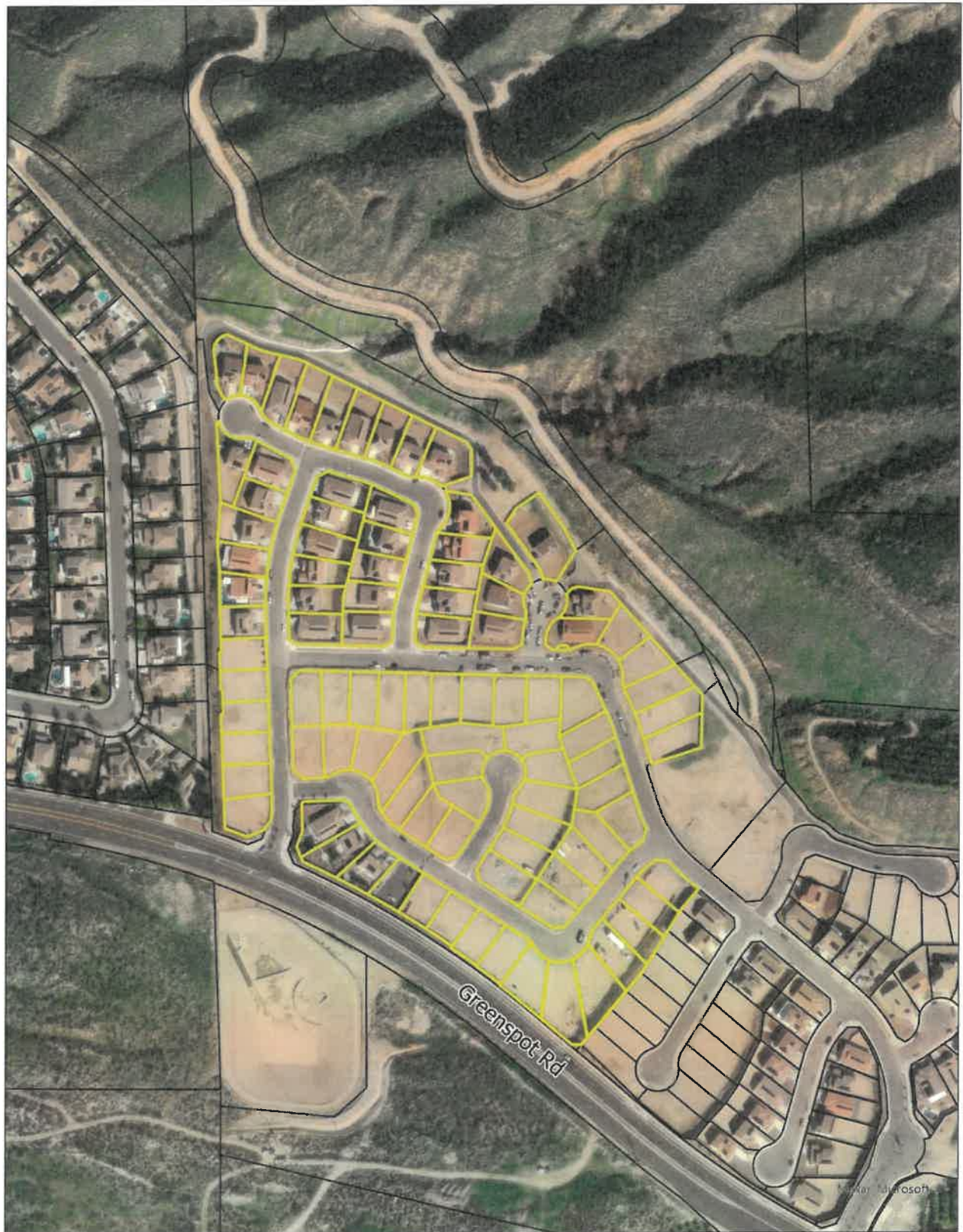


Exhibit 3:
Elevations & Materials / Colors
(Under Separate Cover)

Attachment A:
Resolution NO. 2023-____

RESOLUTION NO. 2023-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING AMMENDED DESIGN REVIEW APPLICATION (DRA 21-007A) FOR THE ADDITION OF TWO (2) NEW FLOOR PLAN OPTIONS AND THE ELIMNIATION OF SINGLE-STORY PLANS ON NON-CORNER LOTS FOR THE FINAL 52 OF THE 149 HOMES WITHIN PHASE 1 OF THE MEDITERRA PLANNED DEVELOPMENT. [REVISION TO THE ANALYSIS OF A SITE PLAN, BUILDING ELEVATIONS, ROUGH GRADING PLAN, CONCEPTUAL LANDSCAPE PLAN, AND MODEL HOME COMPLEX REGARDING THE CONSTRUCTION OF A 149 SINGLE-FAMILY HOME COMMUNITY, A PUBLIC PARK, PUBLIC TRAILS, A PRIVATE COMMON AREA, A PRIVATE COMMUNITY POOL, AND RECREATION CENTER WITHIN PHASES 1 & 2 OF THE MEDITERRA PLANNED DEVELOPMENT. DRA 21-007 ORIGINALLY APPROVED FOR THIS SITE IN AUGUST OF 2021]

ASSESSOR'S PARCEL NUMBER(S): 0297-021-25, 0297-021-26, 0297-021-27 & 0297-021-28

APPLICANT: D.R. HORTON

A. RECITALS

1. On March 31, 2021, the Applicant submitted a Design Review Application (DRA 21-007) for the construction of 149 single-family homes, a public park, a public trail, a private common area, a private community pool, and a recreation center within Phases 1 & 2 of the Mediterra Planned Development. The application was approved by the Planning Commission on August 3, 2021.
2. On July 10, 2023, the Applicant submitted a Design Review Application (DRA 21-007A) for the addition of two (2) new floor plan options and the elimination of single-story plans on non-corner lots for the final 52 of the 149 homes within Phase 1 of the Mediterra Planned Development
3. On October 3, 2023, the Planning Commission of the City of Highland conducted a public hearing on the subject Application and concluded the hearing on that date.
4. All legal prerequisites to the adoption of this Resolution have occurred.

within the Mediterra Planned Development which specifies lot coverage limits, minimum widths, and lengths. The Design Review Application submittal proposes a housing community that satisfies the size and design guidelines outlined in the Mediterra Planned Development Document. There is also appropriate street frontage, setbacks from the right-of-way line for the adjacent roadway, parking for the proposed development.

- b. That the proposed use is in accordance with the objectives of this title, and the purposes of the land use district in which the site is located;

Response: The proposed revision will change the floor plans of 52 of the 149 future residential dwellings. This type of development is what was originally envisioned for the community and is consistent with the uses and densities proposed by the Mediterra Planned Development. It also complies with the Planned Development land use designation, per the Highland Municipal Code, that permits any density that is compatible with surrounding existing and planned uses as determined through the development review process. Then Mediterra Planned Development Document, which was first approved in March of 2016, established development standards for lot sizes, lot coverage, and land uses for the future development of 316 homes on this 182.2 acre site. This proposal by the applicant for the development of Phases 1 and 2, the first 149 homes, satisfies these established requirements. Additionally, this housing development is an appropriate proposal as there is an adjacent existing housing community directly to the west of the site.

- c. That the proposed use is in compliance with city design and landscape standards and criteria.

Response: The proposed development complements both the natural surroundings and already developed adjacent communities. With Italianate, Santa Barbara, and Tuscan influenced architecture that embraces the Mediterranean appeal, this development complies with the design aspirations discussed in the Mediterra Planned Development Document.

- d. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or will not be materially injurious to properties or improvements in the vicinity of the site.

Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department. With the adoption of a Mitigation Monitoring and Reporting Program, along with the implementation of certain conditions of approval necessary to safeguard and protect the public health, safety,



STAFF REPORT

TO THE APPEALS BOARD

DATE: October 03, 2023

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Gary Chambers, Code Compliance Officer *[Signature]*

SUBJECT: A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Property generally located at 25541 Amanda St., San Bernardino, CA 92404, Tax Assessor's Parcel Number 0273-251-36.

PROPERTY OWNER: Bryant Meza & Rogelio Meza

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No 2023 - _____, declaring the existence of a public nuisance on the Property generally located at 25541 Amanda St., San Bernardino, CA 92404 and order the abatement thereof.

FISCAL IMPACT: The full cost to the city regarding the abatement of the Public Nuisance is currently unknown. Staff has accounted for its time in its attempt to abate the nuisance conditions on the Property. Staff will present the Property Owner(s) of record with the cost of the City's efforts to abate the violations at the time all violations are remedied. If the Property Owner(s) elect not to pay for the City's cost to abate the violations, a Public Hearing will be held to assess the property for the cost of the abatement process.

PUBLIC NOTICE: Pursuant to Chapter 8.32, Public Hearing Notices were mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to the Property Owner(s) on September 14, 2023 (Attached hereto as Exhibit "1" attachment "I" and incorporated herein by reference). In addition, on September 14, 2023, staff posted the Public Hearing Notice at the subject property and the Agenda was posted at three designated locations in accordance with City policy, and a copy of said Agenda was placed on the City's Website (see Affidavit of Posting / Mailing and attached hereto as Exhibit "1" attachment "J" and incorporated herein by reference).

Approved _____	Motion _____	Second _____	Agenda Item No. <u>2</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
<i>[Signature]</i> Recording Secretary		<i>[Signature]</i> Community Development Director	

BACKGROUND:

Jan. 08, 2018

This case was initiated from a previous, unresolved, code case from 2014 regarding the construction, alteration, repair, and addition of structures without city approval or permits on the subject property generally located at 25541 Amanda St., San Bernardino, CA 92404, APN: 0273-251-36 (within the corporate boundaries of the City of Highland). On April 14, 2014, Building & Safety conducted an inspection at the subject property and observed the following: the main dwelling had been altered by the conversion of a portion of the bedroom closet to a half bathroom and the dining area had been enclosed to make an additional bedroom without city approval or permits. Building & Safety also observed that the garage had been converted to a guest house, to include a bathroom and laundry, an additional carport had been constructed in the front of the garage, and another one and a half car garage had been constructed behind the garage without city approval or permits. Additional items were also noted during the inspection, reference the report completed by Building & Safety (Attached hereto as Exhibit "3") and mailed to the property owners, Johnny, and Bryant Meza.

Feb. 05, 2018

Code Compliance Officer Teresa Jones mailed an **Initial Contact Letter** to the property owners regarding the construction, alteration, repair, and addition of structures on the subject property without city approval or permits.

Feb. 20, 2018

Code Compliance Officer Teresa Jones issued a **Notice of Violation** to the property owners, regarding the construction, alteration, repair, and addition of structures on the subject property without city approval or permits.

May 07, 2018

Case was reassigned to Code Compliance Officer Gerald Cox.

July 24, 2018

Code Compliance Officer Gerald Cox issued a **Notice of Violation** to the property owners, regarding the construction, alteration, repair, and addition of structures on the subject property without city approval or permits.

Aug. 16, 2018

The property owners submitted plans. Permit No. 20181009 was opened and placed in plan check with an expiration date of February 12, 2019.

Appeals Board Meeting of
October 03, 2023

Aug. 25, 2020	Case was reassigned to Code Compliance Officer Teresa Jones.
Sep. 23, 2020	Code Compliance Officer Teresa Jones contacted the property owner, Johnny Meza by phone. Code Compliance Officer Teresa Jones informed Mr. Meza that his permit, No. 20181009, had expired for the construction, alteration, repair, and addition of structures on the subject property. Mr. Meza stated that he would come in and discuss what was needed to finish the plans with Building & Safety. A <u>Notice of Violation</u> was mailed to the property owner's address of record.
Oct. 21, 2020	Case was reassigned to Code Compliance Officer Gary Chambers.
Oct. 27, 2020	Code Compliance Officer Gary Chambers arrived at the subject property to conduct an inspection and observed an inoperable vehicle, vehicles parked on the unimproved surface of the property, and outside storage, junk, trash, debris, or rubbish in public view. Code Compliance Officer Gary Chambers was unable to contact anyone at the property. Further research revealed that the property owners permit, No. 20181009, had expired and no permits had been issued for the unpermitted construction, alteration, repair, and addition of structures on the subject property. A <u>2nd Notice of Violation</u> was mailed to the property owner's address of record. A <u>Notice of Violation</u> was also mailed to the property owner's address of record for the code violations observed in the front of the property.
Nov. 30, 2020	Code Compliance Officer Gary Chambers arrived at the subject property to conduct a reinspection and observed outside storage, junk, trash, debris, or rubbish in public view. Further research revealed that the property owners had not made any effort to submit plans and address the unpermitted construction, alteration, repair, and addition of structures on the subject property. <u>Administrative Citation No. 16573, \$100</u> , was issued and mailed to the property owner's address of record.

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Dec. 01, 2020 - Mar. 30, 2021	Code Compliance Officer Gary Chambers continued to work with the property owners towards compliance.
Apr. 15, 2021	Code Compliance Officer Gary Chambers arrived at the subject property to conduct a reinspection and observed a vehicle parked on the unimproved surface of the property. Further research revealed that the property owners had not made any effort to submit plans and address the unpermitted construction, alteration, repair, and addition of structures on the subject property. <u>Administrative Citation No. 16958, \$500</u> , was issued and mailed to the property owner's address of record.
Apr. 19, 2021	The property owners submitted plans. Permit No. 20210386 was opened and placed in plan check with an expiration date of April 19, 2022.
Apr. 29, 2021	Code Compliance Officer Gary Chambers arrived at the subject property to meet with the property owner and walk the property. Code Compliance Officer Gary Chambers observed and verified that the original garage, which had been converted to a guest house without city approval or permits, had been converted to an accessory dwelling unit, with the addition of a kitchen. Code Compliance Officer Gary Chambers also observed that the unpermitted carport, in front of the unpermitted accessory dwelling unit, had been demolished and rebuilt without city approval or permits.
Jul. 22, 2021	Property owner Bryant Meza came into the City and stated that his brother, Johnny Meza, would no longer be an owner of the property. Mr. Bryant Meza stated that he would be the primary contact and would ensure that all construction, alteration, repair, and addition of structures on the property would be legalized.
Dec. 01, 2021	Research revealed that Bryant Meza and Rogelio Meza were recorded as the owners for the subject property.
Mar. 28, 2022	Code Compliance Officer Gary Chambers contacted the property owner, Bryant Meza, by phone. Code Compliance Officer Gary Chambers informed Mr. Meza that Permit No. 20210386 was due to expire on April 19, 2022, and that an Administrative Citation would be issued if there was no further effort to address the required corrections and obtain an approved set of plans. Mr. Meza stated that he would contact the designer.

**Appeals Board Meeting of
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- Apr. 21, 2022** Permit No. 202110386 expired. Records indicated that the last activity on the permit was July 22, 2021, when the property owner came into the City to pick up the plans for corrections. **Administrative Citation No. 15501, \$500**, was issued and mailed to the property owner's address of record by certified and regular mail.
- May 16, 2022** Due to continued non-compliance, **Administrative Citation No. 15517, \$750**, was issued and mailed to the property owner's address of record by certified and regular mail.
- May 17, 2022 –
Mar. 13, 2023** The City continued efforts to work with the property owner's to obtain compliance.
- Mar. 14, 2023** A meeting was held with the property owner's designer, the Planning Department, and the Building Official to discuss what was need to move forward. The property owner's designer agreed to submit revised plans within 6 weeks. A letter was mailed to the property owner's address of record detailing what was discussed and what needed to be addressed, (Attached hereto as Exhibit "4").
- May 04, 2023** The Building Official received an email from the San Bernardino County Assessor-Recorder's office stating that they completed a field check on the subject property on October 13, 2021, and redrew the building record for the property, (Attached hereto as Exhibit "5"). A review of the drawing revealed that the property owners had continued to construct, repair, and alter the structures on the property without city approval or permits. Reference property sketch uploaded to case file on February 20, 2018, (Attached hereto as Exhibit "6").
- Jul. 06, 2023** Code Compliance Officer Gary Chambers had a meeting with the Building Official. The revised plans submitted by the property owner's designer were insufficient and did not address all issues on the subject property. Since the Building & Safety inspection report, dated April 14, 2014, the property owners have continued to construct, repair, and alter the structures on the property without city approval or permits. A decision was made to refer the case to the Planning Commission/Appeals Board for a declaration of Public Nuisance.

Sep. 14, 2023

Code Compliance Officer Gary Chambers arrived at the subject property to conduct a reinspection and post a copy of the Public hearing Notice. Code Compliance Officer Gary Chambers observed multiple vehicles parked on the unimproved surface of the property as well as junk, trash, debris, or rubbish in public view. To date, the property owners have not obtained permits for the construction, alteration, repair, or additions of structures on the property. A **Public Hearing Notice** was posted at the property informing the property owner that a Public Nuisance Hearing had been scheduled for October 03, 2023, at 6 pm, or soon thereafter. A copy of the Public Hearing Notice was also mailed to the property owner's address of record by certified mail, return receipt requested.

CONCLUSION: As evidenced by all inspections conducted and the exhibits incorporated herein by reference, the property, identified as APN: 0273-251-36 (25541 Amanda St., San Bernardino, CA 92404) has been permitted to exist in violation of the following sections of the Highland Municipal & Development Codes, and therefore constitutes a Public Nuisance. Specifically, the property is in violation of the following provisions of the Municipal & Development Code:

- I. Highland Municipal Code Section 8.32.020 (C) (A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California).
- II. Highland Municipal Code Section 15.14.010 (Adoption of the California Residential Code).
- III. California Residential Code Section R105.1, Permits Required (Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit).

The property owner(s) is requested to remove all vehicles from the unimproved surface of the property, remove any junk, trash, debris, or rubbish from public view, submit any required applications and site plans to the Planning Division for approval, obtain all required permits from the Building & Safety Division to legalize all unpermitted construction, alteration, repair, or additions of structures on the property, or obtain a demolition permit to demolish by no later than **sixty (60) days** from the issuance of an order of the Appeals Board in accordance with Chapter 8.32 of title 8 of the Highland Municipal Code.

Exhibit “1” Appeals Board Declaration of Public Nuisance Resolution 2023_____, inclusive of the following attachments:

- A.** Notice of Violation Letter dated February 20, 2018
- B.** Notice of Violation Letter dated July 24, 2018
- C.** Notice of Violation Letter dated September 23, 2020
- D.** Notice of Violation Letter dated October 27, 2020
- E.** Administrative Citation, #16573, issued November 30, 2020
- F.** Administrative Citation, #16958, issued April 15, 2021
- G.** Administrative Citation, #15501, issued April 21, 2022
- H.** Administrative Citation, #15517, issued May 16, 2022
- I.** Notice of Public Hearing & Public Posting Copy dated September 14, 2023
- J.** Notice of Public hearing (Affidavit of Mailing) dated September 14, 2023

Exhibit “2” Aerial/Site Location Map

Exhibit “3” Building & Safety inspection report dated April 15, 2014

Exhibit “4” Building & Safety Letter dated March 14, 2023

Exhibit “5” SBC Accessor-Recorder property sketch dated October 13, 2021

Exhibit “6” Property sketch attached to electronic file dated February 20, 2018

Exhibit “7” Case photograph dated April 07, 2014

Exhibit “8” Case photographs dated October 27, 2020

Exhibit “9” Case photographs dated November 30, 2020

Exhibit “10” Case photographs dated April 15, 2021

Exhibit “11” Case photographs dated April 29, 2021

Exhibit “12” Case photographs dated April 21, 2022

**Appeals Board Meeting of
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Exhibit “13” Case photographs dated May 16, 2022

Exhibit “14” Case photographs dated September 14, 2023

EXHIBIT “1”

Appeals Board Declaration of Public Nuisance Resolution
No. 2023____, Inclusive of the following Attachments

RESOLUTION NO. 2023-

A RESOLUTION OF THE PLANNING COMMISSION/APPEALS BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT A PUBLIC NUISANCE EXISTS ON THE PROPERTY IDENTIFIED AS APN: 0273-251-36, GENERALLY LOCATED AT 25541 AMANDA ST., SAN BERNARDINO, CA 92404, AND ORDERING THE OWNER OF THE PROPERTY TO ABATE THE NUISANCE CONTAINED THEREON.

(CODE CASE #4689)

A. RECITALS

1. On April 14, 2014, the City observed the construction, alteration, repair, and addition of structures without city approval or permits on the property identified as San Bernardino County APN: 0273-251-26 ("the Property"). Specifically, the inspection revealed that the main dwelling had been altered by the conversion of a portion of the bedroom closet to a half bathroom, the dining area had been enclosed to make an additional bedroom, the garage had been converted to a guest house, to include a bathroom and laundry, an additional carport had been constructed in the front of the original garage, and another one and a half car garage had been constructed behind the original garage without city approval or permits.
2. The City of Highland has since inspected the Property numerous times and discovered that the Property has been maintained and permitted to exist in violation of multiple sections of the Highland Municipal Code, and therefore constitutes a public nuisance.
3. Notices of Violation were mailed/posted on;

02/20/2018 (Attachment A)
07/24/2018 (Attachment B)
09/23/2020 (Attachment C)
10/27/2020 (Attachment D)
4. Administrative Citations, were issued/mailed on;

11/30/2020 (Attachment E)
04/15/2021 (Attachment F)
04/21/2022 (Attachment G)
05/16/2022 (Attachment H)

5. Pursuant to Chapter 8.32 of the Highland Municipal Code, a Notice of Public Hearing was mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to the property owner on September 14, 2023. A copy of the notice was also posted at the Property (Attachment I).

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission/Appeals Board of the City of Highland as follows:

1. All of the facts set forth in the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution by this reference.
2. Staff timely notified the owner of the Property that the Planning Commission/Appeals Board would be holding a Public Hearing on October 03, 2023; that Notice is attached hereto as Attachment J. The Appeals Board held a Public Hearing on that Hearing Date, at which time, all written and oral evidence and testimony from the owner of the Property, the Public, and Staff were considered.
3. All necessary hearings and opportunities for testimony, and comment have been conducted in compliance with the Municipal Code of the City of Highland.
4. The Public Nuisance Hearing has independently considered all relevant information of both the public, and Staff testimony, written and oral, including the Staff Report and its exhibits which are incorporated herein by this reference.

Order Finding and Ordering Abatement of Public Nuisance

5. Based upon substantial evidence in the record, the Planning Commission/Appeals Board hereby declares that a public nuisance, as defined by Highland Municipal Code 8.32.020, has been allowed to exist on the Property generally located at 25541 Amanda St., San Bernardino, California 92404, since at least April 07, 2014.
6. Specifically, based upon the evidence and testimony presented to the Planning Commission/Appeals Board during the above-referenced Hearing, the Planning Commission/Appeals Board finds as follows;
 - a. Highland Municipal Code Section 8.32.020 (C) (A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California).

- b. Highland Municipal Code Section 15.14.010 (Adoption of the California Residential Code.
 - c. California Residential Code Section R105.1, Permits Required (Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit).
- 7. The Planning Commission/Appeals Board of the City of Highland hereby finds that the aforementioned Violations constitute a public nuisance, and hereby orders the Property Owner to abate the aforementioned Violations, **within sixty (60) days**. The Planning Commission/Appeals Board of the City of Highland hereby sets forth the actions necessary to abate the public nuisance from the Property as follows:
 - a. Remove all vehicles from the unimproved surface of the property. Remove all junk, trash, debris, or rubbish from public view.
 - b. Submit any required applications and site plans to the Planning Division for approval.
 - c. Obtain all required permits from the Building & Safety Division to legalize all unpermitted construction, alteration, repair, or addition of structures on the property, or obtain a demolition permit to demolish.
- 8. The administrative and incidental costs and expenses incurred in abating the nuisance, which are proved in accordance with provision of Highland Municipal Code Section 8.32.180, shall be assessed against the Property and shall result in a lien until paid.
- 9. Pursuant to Highland Municipal Code Section 8.32.110, the Planning Commission/Appeals Board of the City of Highland authorizes the abatement of the public nuisance by the city as follows:

- (a) If the owner, agent of the owner, lessee, occupant, or person in possession of the Property who are served with a notice of the final decision of the Planning Commission/Appeals Board finding and ordering the abatement of a public nuisance, shall fail to take the required action **within sixty (60) days** as specified above, the City shall commence with the lawful procedures to have the Property abated.
 - (b) The costs and expenses of demolition, removal, and abatement by the City, including any additional administrative and legal and incidental expenses, pursuant to Highland Municipal Code Section 8.32.110, shall also be assessed and result in a lien upon the Property until paid.
- 10. Any owner, occupant, or other party who has a legal or equitable interest in the Property may appeal the final order of the Planning Commission/Appeals Board finding and ordering the abatement of a public nuisance pursuant to Highland Municipal Code Section 8.32.210. The appeal must be in writing and must be filed with the City Council no later than 10 days from the date of service of this Planning Commission/Appeals Board Resolution finding and ordering the abatement of a public nuisance. After 10 days from the date of service of the Planning Commission/Appeals Board resolution finding and ordering the abatement of the public nuisance, the order is deemed final and may no longer be appealed.
- 11. A property owner also has a right to appeal the order ordering liability incidental and administrative expenses incurred and ordering the abatement of a public nuisance

PASSED, APPROVED AND ADOPTED this 3rd day of October 2023.

Randall Hamerly,
Planning Commission/Appeals Board Chairman

ATTEST:

Lawrence A. Mainez,
Community Development Director

ATTACHMENT "A"

Notice of Violation Letter dated February 20, 2018



NOTICE OF VIOLATION

City of Highland
CALIFORNIA
Community Development Dept.
Code Compliance Division
27215 E. Base Line
Highland, CA 92346
(909) 864-6861

Property Owner: Johnny & Bryant Meza

Issued To: VIOLATION ADDRESS: 25541 Amanda St, San Bernardino, CA 92404

Address SAME

D.L. #

D.O.B.

THIS IS TO INFORM YOU that you are in VIOLATION of one or more Sections of the Municipal Code as indicated:

- ☐ 8.20.040 CFC 605.5 Extension Cords
- ☐ 15.04.020 CBC 105.1 Permits
- ☐ 15.04.020 CBC 115 Stop Work
- ☐ 15.14.010 CRC 114 Stop Work
- ☒ 15.14.010 CRC R105.1 Permits
- ☐ Other

Required Action 2ND NOTICE - EXPIRED PERMITS

* Come to City Hall / Building & Safety Dept. to obtain Permit(s) and schedule inspection(s) to final the Permit(s).

* Failure to comply may result in issuance of CITATIONS: *Cite#1= \$500; *Cite#2 = \$750;
*Cite#3 - \$1,000.

Failure to take "Required Action" within **30** days will result in referral of this matter for legal action under the provisions of the Municipal Code.

Each day that the violation continues constitutes a new and separate offense.

FOR FURTHER INFORMATION TELEPHONE
Phone Ex. 256

Teresa Jones
CODE COMPLIANCE OFFICER

I acknowledge receipt of this NOTICE OF
VIOLATION of the Municipal Code

2/20/2018
Date

ATTACHMENT “B”

Notice of Violation Letter dated July 24, 2018



NOTICE OF VIOLATION

City of Highland
CALIFORNIA
Community Development Dept.
Code Compliance Division
27215 E. Base Line
Highland, CA 92346
(909) 864-6861

Property Owner: Johnny & Bryant meza

Issued To: Same as above

Address 25541 Amanda St. San Bernardino 92404

D.L. #

D.O.B.

THIS IS TO INFORM YOU that you are in VIOLATION of one or more Sections of the Municipal Code as indicated:

- ☐ 8.20.040 CFC 605.5 Extension Cords
- ☒ 15.04.020 CBC 105.1 Permits
- ☐ 15.04.020 CBC 115 Stop Work
- ☐ 15.14.010 CRC 114 Stop Work
- ☒ 15.14.010 CRC R105.1 Permits
- ☐ Other

Required Action Must submit plans, obtain permits and city approval, schedule
required inspections. Failure to take necessary action will result in first citation
per Highland Municipal Code in the amount of \$500.00 dollars.

Failure to take "Required Action" within **10** days will result in referral of this matter for legal action under the provisions of the Municipal Code.

Each day that the violation continues constitutes a new and separate offense.

FOR FURTHER INFORMATION TELEPHONE
Phone Ex. 220

Gerald Cox
CODE COMPLIANCE OFFICER

I acknowledge receipt of this NOTICE OF
VIOLATION of the Municipal Code

7/24/2018
Date

ATTACHMENT “C”

Notice of Violation Letter dated September 23, 2020



NOTICE OF VIOLATION

City of Highland
CALIFORNIA
Community Development Dept.
Code Compliance Division
27215 E. Base Line
Highland, CA 92346
(909) 864-6861

Property Owner: Johnny & Bryant Meza

Issued To: RE: 25541 Amanda St., San Bernardino, CA 92404

Address SAME

D.L. # _____

D.O.B. _____

THIS IS TO INFORM YOU that you are in VIOLATION of one or more Sections of the Municipal Code as indicated:

- ☐ 8.20.040 CFC 605.5 Extension Cords
- ☒ 15.04.020 CBC 105.1 Permits
- ☐ 15.04.020 CBC 115 Stop Work
- ☐ 15.14.010 CRC 114 Stop Work
- ☐ 15.14.010 CRC R105.1 Permits
- ☐ Other

Required Action Permits expired 2/12/19 - Please come to the Building Dept. to continue with the process to legalize or demo the garage conversion.

Office is open Monday thru Thursday 7:30 to 5pm.

Failure to take "Required Action" within **30** days will result in referral of this matter for legal action under the provisions of the Municipal Code.

Each day that the violation continues constitutes a new and separate offense.

FOR FURTHER INFORMATION TELEPHONE
Phone Ex. 220

Teresa Jones
CODE COMPLIANCE OFFICER

I acknowledge receipt of this NOTICE OF
VIOLATION of the Municipal Code

09/23/2020

Date

ATTACHMENT “D”

Notice of Violation Letter dated October 27, 2020



City of Highland
Community Development Department
Notice of Violation
Public Nuisance Violations

To: Johnny & Bryant Meza

Date: 10/27/2020

Property Located at: 25541 Amanda St, San Bernardino, CA 92404

YOUR PROPERTY IS IN VIOLATION OF THE CITY OF HIGHLAND MUNICIPAL CODE

- | | |
|--|---|
| <p>☒ Title 16, Chapter 52, Section, 16.52.060 B.4.b.i
Parking on unimproved/landscaped areas is prohibited</p> <p>☐ Title 16, Chapter 52, Section, 16.52.060 B.4.a.iii
Any vehicle parked in plain view, must be currently registered to operation a street or road way.</p> <p>☐ Title 8, Chapter 32, Section, 8.32.020 B.3
Trash containers shall generally be placed out of direct public view.</p> <p>☐ 8.32.020 Declaration of public nuisance
A public nuisance is created by every building or structure which:</p> <ul style="list-style-type: none">☐ Dilapidation, dangerous or at risk of collapse from neglect☐ Is a breeding place for rodents, vermin, or vagrants☐ Is boarded up, abandoned, destroyed and is allowed to remain in a state of partial construction☐ Allows access through doors, windows, into vacant structure | <p>☐ Title 6, Chapter 6.04, Section, 6.04.020C/SBCC 32.0209
Every Resident in the City who owns, who has an interest, harbors feeds, takes care of, charge or custody of shall be required to obtain a city Dog license at 4 months of age</p> <p>☐ Title 16, Chapter 44, Section, 16.44.040.D.1.a
All lots smaller than 20,000 square feet-each residential parcel shall not exceed (4) four adult dogs or four (4) adult cats, or a combination totaling not more than four adult animals.</p> <p>☐ Title 15, Chapter 15.52.040, Section, 15.52.040
Residential rental without a business license.</p> <p>☒ Other : Property Maintenance</p> <p>☐ Violation of condition of site approval or conditional use permit</p> <p>☐ Has overgrown weeds, trash accumulation, has noxious smell</p> <p>☐ Is unsafe, has graffiti, is left unpainted</p> <p>☐ Attractive nuisance to children</p> |
|--|---|

CA13 Firecode - 505.1

- ☐ **Premises Identification** - 4" minimum address numbers. Numbers shall be placed on front of the building, said numbers shall be on contrasting background.
- ☐ **CA13 Electrical Code 590.3 B** - Temporary Installations (Holiday Lights)

Title 10, Chapter 10.20, Section 10.20.040

☒ **Public nuisances - Vehicle Abatement**

The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof, on private or public property is found to create a condition tending to reduce the value of private or public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance, creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public.

Please correct conditions by taking the following actions:

**** 1st Notice of Violation **** (1) Remove all inoperable vehicles on the property or repair them or store them in a permitted enclosed structure. (2) Remove any vehicles parked on the unimproved surface of the front yard (3) Remove all outside storage or debris on the property, including, but not limited to, tires, broken basketball hoop, laundry basket full of debris, and any other miscellaneous debris

You have 30 days to complete the abatement of this violation. A reinspection of this property is scheduled for 11/30/2020

Failure to correct the existing condition will result in further action. You may be charged for any corrective action taken by the City if you fail to correct the violation.

No person shall violate any provision, or fail to comply with any of the requirements to the Municipal Code, unless a different penalty is prescribed for violation of the Municipal Code, every act prohibited is declared unlawful, and every failure to perform an act made mandatory by the Municipal Code is punishable as a misdemeanor. The City Attorney may specify an accusatory pleading that the offense shall be an infraction. Each person shall be deemed guilty of a separate offense for each, and every day during any provision of the Municipal Code committed, continued, or permitted by such person, and shall be punishable accordingly. City administrative costs may be assessed to the property for noncompliance.

The City of Highland appreciates your cooperation. If you have any questions, contact a Code Compliance officer, at
Phone: (909) 864-8732 Ext. 220 Fax (909) 862-3180

Accepted By: _____
Thank You,
City of Highland, 27215 Base Line, Highland, CA 92346

Gary Chambers
Code Compliance Officer



City of Highland
Community Development Department
Notice of Violation
Public Nuisance Violations

To: Johnny & Bryant Meza

Date: 10/27/2020

Property Located at: 25541 Amanda St, San Bernardino, CA 92404

YOUR PROPERTY IS IN VIOLATION OF THE CITY OF HIGHLAND MUNICIPAL CODE

- | | |
|---|---|
| <p>☐ Title 16, Chapter 52, Section, 16.52.060 B.4.b.i
Parking on unimproved/landscaped areas is prohibited</p> <p>☐ Title 16, Chapter 52, Section, 16.52.060 B.4.a.iii
Any vehicle parked in plain view, must be currently registered to operation a street or road way.</p> <p>☐ Title 8, Chapter 32, Section, 8.32.020 B.3
Trash containers shall generally be placed out of direct public view.</p> <p>☐ 8.32.020 Declaration of public nuisance
A public nuisance is created by every building or structure which:</p> <ul style="list-style-type: none">☐ Dilapidation, dangerous or at risk of collapse from neglect☐ Is a breeding place for rodents, vermin, or vagrants☐ Is boarded up, abandoned, destroyed and is allowed to remain in a state of partial construction☐ Allows access through doors, windows, into vacant structure | <p>☐ Title 6, Chapter 6.04, Section, 6.04.020C/SBCC 32.0209
Every Resident in the City who owns, who has an interest, harbors feeds, takes care of, charge or custody of shall be required to obtain a city Dog license at 4 months of age</p> <p>☐ Title 16, Chapter 44, Section, 16.44.040.D.1.a
All lots smaller than 20,000 square feet-each residential parcel shall not exceed (4) four adult dogs or four (4) adult cats, or a combination totaling not more than four adult animals.</p> <p>☐ Title 15, Chapter 15.52.040, Section, 15.52.040
Residential rental without a business license.</p> <p>☒ Other : Permits required</p> <p>☐ Violation of condition of site approval or conditional use permit</p> <p>☐ Has overgrown weeds, trash accumulation, has noxious smell</p> <p>☐ Is unsafe, has graffiti, is left unpainted</p> <p>☐ Attractive nuisance to children</p> |
|---|---|

CA13 Firecode - 505.1

- ☐ **Premises Identification** - 4" minimum address numbers. Numbers shall be placed on front of the building, said numbers shall be on contrasting background.
- ☐ **CA13 Electrical Code 590.3 B** - Temporary Installations (Holiday Lights)

Title 10, Chapter 10.20, Section 10.20.040

☐ **Public nuisances - Vehicle Abatement**

The accumulation and storage of dismantled, wrecked, inoperative, junked, abandoned vehicles or parts thereof, on private or public property is found to create a condition tending to reduce the value of private or public property, to promote blight and deterioration, invite plundering, to create fire hazards, to constitute an attractive nuisance, creating a hazard to the health and safety of minors, to create a harborage for rodents and insects and to be injurious to the health, safety and general welfare of the public.

Please correct conditions by taking the following actions:

**** Final Notice of Violation **** (1) Contact the Building & Safety Division at City Hall to obtain permits for the converted garage and all unpermitted accessory structures on the property or a demo permit to demolish. **** If no permits are issued by 11/30/2020, citations will be issued.**

You have 30 days to complete the abatement of this violation. A reinspection of this property is scheduled for 11/30/2020

Failure to correct the existing condition will result in further action. You may be charged for any corrective action taken by the City if you fail to correct the violation.

No person shall violate any provision, or fail to comply with any of the requirements to the Municipal Code, unless a different penalty is prescribed for violation of the Municipal Code, every act prohibited is declared unlawful, and every failure to perform an act made mandatory by the Municipal Code is punishable as a misdemeanor. The City Attorney may specify an accusatory pleading that the offense shall be an infraction. Each person shall be deemed guilty of a separate offense for each, and every day during any provision of the Municipal Code committed, continued, or permitted by such person, and shall be punishable accordingly. City administrative costs may be assessed to the property for noncompliance.

The City of Highland appreciates your cooperation. If you have any questions, contact a Code Compliance officer, at
Phone: (909) 864-8732 Ext. 220 Fax (909) 862-3180

Accepted By: _____
Thank You,
City of Highland, 27215 Base Line, Highland, CA 92346

Gary Chambers
Code Compliance Officer

ATTACHMENT “E”

Administrative Citation, #16573, issued November 30, 2020



CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. **16573**

ADMINISTRATIVE CITATION

Date: 11-30-2020 Time: 3:15 PM (Violation Observed)

☒ **WARNING**

☒ 1st Citation - \$ 100.00 ☐ 2nd Citation - \$ _____

☐ 3rd Subsequent - \$ _____

The payment listed above is due by 12-25-2020. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 12-28-2020. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action.

PERSON CITED: LAST FIRST MIDDLE

MEZA, JOHNNY

DL #: N/A DOB: N/A

MAILING ADDRESS: 25541 AMANDA ST.
SAN BERNARDINO, CA 92404

VIOLATION ADDRESS: 25541 AMANDA ST., SAN BERNARDINO, CA

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
<u>HMC 15.14.010</u>	<u>Permits Required</u>
<u>HMC 8.32.020 F</u>	<u>Outside Storage / Debris</u>

CORRECTIONS REQUIRED: OBTAIN PERMITS
FROM THE BUILDING & SAFETY DIVISION
FOR ALL UN-PERMITTED STRUCTURES OR
A Demo permit to Demolish Remove
ALL outside storage / debris visible
FROM THE public right-of-way.

Signature of Issuing Officer [Signature] Issued Date 11-30-2020

Printed Name of Issuing Officer Cory Chambers

Acknowledgement of Receipt (Signature) "Mailed"

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

ATTACHMENT “F”

Administrative Citation, #16958, issued April 15, 2021



CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 16958

ADMINISTRATIVE CITATION

Date: 04/15/2021 Time: 10:05am (Violation Observed)

☐ WARNING

☒ 1st Citation - \$ 500.00 ☐ 2nd Citation - \$ _____

☐ 3rd Subsequent - \$ _____

The payment listed above is due by 05-10-2021. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 05-10-2021. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: LAST FIRST MIDDLE

DL #:

DOB:

MAILING ADDRESS:

25541 Avenida St, San Bernardino, CA 92404

VIOLATION ADDRESS:

25541 Avenida St, San Bernardino, CA 92404

MUNI / STATE CODE
SECTION VIOLATED

VIOLATION DESCRIPTION

HMC 15.14.010.1
CRC 2105.1

Permits required.

CORRECTIONS REQUIRED:

Obtain Permits from
the Building & Safety Division to legalize
All unpermitted, Altered, or converted
Structures on your property. To Avoid
additional citations or a Public Nuisance
Hearing, please comply by 5-10-2021.

Signature of Issuing Officer

Issued Date

Printed Name of Issuing Officer

Acknowledgement of Receipt (Signature)

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

GREEN: FILE

ATTACHMENT "G"

Administrative Citation, #15501, issued April 21, 2022



CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

4689

CITATION NO. 15501

ADMINISTRATIVE CITATION

Date: 4-21-2022 Time: 10:03am (Violation Observed)

☐ WARNING

☒ 1st Citation - \$ 500.00 ☐ 2nd Citation - \$

☐ 3rd Subsequent - \$

The payment listed above is due by 5-16-2022. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 5-12-2022. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: LAST FIRST MIDDLE

DL #:

DOB:

MAILING ADDRESS:

25541 Amanda St, San Bernardino, CA 924

VIOLATION ADDRESS:

"SAME"

MUNI. / STATE CODE
SECTION VIOLATED

VIOLATION DESCRIPTION

HMC
15.14.010

Adoption of California Residential
Code

CORRECTIONS REQUIRED:

Obtain permits from
the Building & Safety Division to legalize
all unpermitted, altered, or converted
structures on your property.

Signature of Issuing Officer

Issued Date

Printed Name of Issuing Officer

Acknowledgement of Receipt (Signature)

READ REVERSE SIDE
FOR IMPORTANT INFORMATION

ATTACHMENT "H"

Administrative Citation, #15517, issued May 16, 2022



CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

Case #4689

CITATION NO. 15517

ADMINISTRATIVE CITATION

Date: 5-16-2022 Time: 9:04am (Violation Observed)

☐ WARNING

☐ 1st Citation - \$ ☒ 2nd Citation - \$ 750.00

☐ 3rd Subsequent - \$

The payment listed above is due by 6-10-2022. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 6-06-2022. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: LAST FIRST MIDDLE

MEZA, BRYANT

DL #:

N/A

DOB:

N/A

MAILING ADDRESS:

25541 AMANDA ST, SAN BERNARDINO, CA 92404

VIOLATION ADDRESS:

"SAME"

MUNI. / STATE CODE
SECTION VIOLATED

VIOLATION DESCRIPTION

HMC
15.14.010

Adoption of California
Residential Code

HMC
16.57.000.840

Run Lines on unimproved surface

CORRECTIONS REQUIRED:

Obtain permits from
the Building & Safety Division to legalize
all unpermitted, altered, or converted
structures on the property. Remove
all vehicles from the unimproved surface
of the front yard. Next cite, 4/1,000.00

Signature of Issuing Officer

Issued Date

Printed Name of Issuing Officer

Acknowledgement of Receipt (Signature)

**READ REVERSE SIDE
FOR IMPORTANT INFORMATION**

GREEN: FILE

ATTACHMENT “I”

Notice of Public Hearing & Public Posting Copy dated
September 14, 2023



CITY OF HIGHLAND NOTICE OF PUBLIC HEARING

27215 Baseline, Highland, CA 92346
Telephone (909) 864-6861 FAX: (909) 862-3180

NOTICE OF PUBLIC HEARING BEFORE THE CITY OF HIGHLAND APPEALS BOARD (BOARD)

Date: September 14, 2023

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE HIGHLAND APPEALS BOARD TO CONSIDER DECLARING THE FOLLOWING DESCRIBED PROPERTY A PUBLIC NUISANCE DUE TO UNAPPROVED AND UNPERMITTED CONSTRUCTION RELATED TO THE ALTERATION, REPAIR, CONVERSION, AND ADDITION OF STRUCTURES ON THE PROPERTY.

File Number: APPEALS BOARD PUBLIC NUISANCE HEARING
CASE # 4689

SUBJECT: A Public Hearing to declare the existence of a Public Nuisance in accordance with Chapter 8.32.060 of the Highland Municipal Code on the following Assessor's Parcel Number: 0273-251-36

PROPERTY OWNER(S): BRYANT MEZA, ROGELIO MEZA

VIOLATION ADDRESS/APN: 0273-251-36, generally located at the 25541 Amanda St., San Bernardino, CA 92404 (within the corporate boundaries of the City of Highland)

HEARING LOCATION: Highland City Hall Council Chambers
27215 Base Line
Highland, CA 92346

DATE AND TIME OF HEARING: Tuesday October 03, 2023, at 6:00 PM
(Or soon thereafter)



CITY OF HIGHLAND NOTICE OF PUBLIC HEARING

27215 Baseline, Highland, CA 92346
Telephone (909) 864-6861 FAX: (909) 862-3180

CITY OF HIGHLAND NOTICE OF PUBLIC HEARING BEFORE THE CITY OF HIGHLAND APPEALS BOARD (BOARD)

This notice is to inform you of a hearing to be held before the City of Highland Appeals Board to determine whether certain conditions and/or uses are existing on property identified as APN 0273-251-36 located at 25541 Amanda St., San Bernardino, CA 92404 (referred to hereafter as ("The Property")) continue to constitute a public nuisance pursuant to the Highland Municipal Code & Ordinances of the City of Highland at the following place, date, and time.

TIME AND DATE OF HEARING: Tuesday, October 03, 2023, at 6:00PM

LOCATION OF HEARING: City Hall Council Chambers 27215 Base
Line Highland, CA 92346

You may bring any witnesses, pictures, photographs, reports, or any other exhibits to this hearing which you feel will establish or prove the Property is not a public nuisance. You may be represented by an attorney. You will have an opportunity to examine all evidence and witnesses testifying against you.

If the Appeals Board determines at the end of the hearing, that this Property is in fact a public nuisance, you will be ordered to abate the public nuisance or the condition thereof and your property will be assessed the City's administrative and incidental costs incurred up to that stage in the abatement process. This assessment will result in a lien upon your property until paid. Thereupon, if you fail to obey the Appeals Board's order to abate this nuisance, the City may do so for you, in accordance with applicable statutes [HMC Section 8.28.010 (A)(B)]. The costs and expense of abating the nuisance including the City's incidental and administrative expenses, may be recovered in an appropriate civil action, and will result in a lien upon the Property until it is paid. (HMC Section 8.28.020).

**VIA CERTIFIED MAIL
RETURN SERVICE REQUESTED AND
FIRST CLASS MAIL**

The conditions of the Property constituting a public nuisance are as follows:

Unapproved and unpermitted construction related to the alteration, repair, conversion, and addition of structures on the property.

You may voluntarily abate the nuisance yourself by doing the following things:

Obtain approvals and permits to legalize all alterations, repairs, conversions, and additions or obtain a demo permit to demolish.

If you choose to voluntarily abate this nuisance prior to this hearing, you may notify the Community Development Director at least three (3) days prior to the date of hearing set below, for a prehearing inspection.



Lawrence A. Mainez

Community Development Director Cc:

Code Enforcement File

ATTACHMENT “J”

Notice of Public Hearing, Affidavit of Mailing, dated
September 14, 2023

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

I am employed in the County of San Bernardino, State of California. I am over the age of 18 and not a party to the within action. My business address is City of Highland, 27215 Base Line, Highland, CA 92346.

On September 14, 2023, I caused to be served a copy of the attached Public Hearing Notice, Case #4689, Certified Mail, Return Receipt Requested, to the following parties: Bryant Meza and Rogelio Meza. Said service was made by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail, at Highland, California, and addressed to the Parties as more fully detailed below.

Bryant Meza & Rogelio Meza
25541 Amanda St.
San Bernardino, CA 92404

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and this Declaration was executed at Highland, CA, on September 14, 2023.

Dated: 09/14/2023



Nicole Subia, Administrative Assistant III
City of Highland

EXHIBIT “2”

Aerial/Site Location Map



25541 Amanda St., San Bernardino, CA



EXHIBIT “3”

Building & Safety inspection report dated April 15, 2014

April 15, 2014

Johnny Meza
25541 Amanda
San Bernardino, CA 92404

(Email Copy)

Re: Permit # B00-015-940

25541 Amanda, San Bernardino

Dear Property Owner,

The City of Highland Building and Safety Division conducted an inspection of the above property on April 14, 2014. Following is a list of conditions or items noted that need to be either abated or addressed prior to the code enforcement case being closed.

1. Construction permits and Planning Department approvals must be obtained prior to the commencement of work.
2. Prior to permit issuance: provide a plot plan of the entire property, indicating all structures and distances from property lines. Please include the property owner name, site address; phone numbers and assessor's parcel number.
3. Prior to permit issuance, provide a floor plan of the existing building, identify each room use and dimensions. Include the location and dimension and sill to floor height of each window. Include the location of all electrical, plumbing and mechanical fixtures.
4. Should this structure become a rental property, obtain a City Rental Business license prior to the tenant moving in.
5. Records indicate that this property legally consist of a two bedroom, one bath, 1038 s.f single family dwelling with a 420 s.f detached garage with a 240 s.f solid cover patio. At the time of this inspection, it appears that the interior of the dwelling has been modified by the conversion of a portion of the bedroom closet to a ½ bathroom and the dining area enclosed to make another bedroom without City approvals or building permits.

Also, the garage has been converted to a guesthouse (with a bathroom and laundry), an additional carport has been constructed in front (North) of the

garage and another one and half car garage has been constructed behind (South) the garage, again all without City approvals or building permits. (Submit plans; obtain approvals from the Planning Dept. and permits from the Building Division) or remove back to the approved configuration.

- A. The above unapproved structures were built next to or within 3' of the west property line. Windows are not permitted within 3' of the property line; Additions are not permitted within 5' of the property line (Contact the City Planning Dept. for additional information).
6. Sewage leak under the house and the dumping of raw sewage in the rear yard. This issue needs to be investigated by an industrial hygienist, with their recommendations on the abatement of the contamination both under the house and in the yard where the sewage was dumped and buried submitted to the City of Highland Building and Safety Division.
7. Provide an approved swimming pool barrier for the yard or around the pool. Minimum 60" in height with opening less than 4" in diameter, gates shall be self-closing, and open out, away from the pool, with a latch at 60". Provide alarms on all dwelling exit doors with direct access to the pool.
8. The existing gas supply line for the pool is exposed above ground. Either re-route 12" below grade or remove. Permits required.
9. Verify or provide tempered glazing in windows within 60" above the bathtub.
10. Provide or verify the installation of smoke detectors in each bedroom and hallway serving sleeping areas. Provide a CO detector in hallways serving sleeping rooms.
11. Provide or verify earthquake straps on the upper and lower 1/3s of the water heater, that the TP relief valve is hard piped downward to the outside (terminating between 6" and 24" above grade) and high low combustion air openings with 1/4" screening.
12. Reported roof leaks. (Observed damage to the ceiling drywall) Repair or replace the roof coverings. Permits required.

Should you have any questions or need further assistance, please contact this office at 909-864-8732 between the hours of 7:30 AM and 5:00 PM, Monday through Thursday.

Dale Everman, CBO
Building Official

CC: Larry Mainez, Community Development Director
City Attorney
Code Enforcement
File

EXHIBIT “4”

Building & Safety Letter dated March 14, 2023



DATE: March 14, 2023

Meza, Bryant & Rogelio
25541 Amanda St.
San Bernardino Ca 92404

SUBJECT: Meeting Summary March 14, 2023 for 25541 Amanda St – Plan check activity # 20210386, Code Case 4689 for Unpermitted construction.

Dear Bryant & Rogelio Meza,

The City of Highland Building & Safety division called a meeting for March, 14, 2023 at 9:00 am with your designer Omar Marroquin regarding the plan submittal identified as 20210386 for the legalization of unpermitted construction at the subject property (25541 Amanda St.). The designer, Omar Marroquin was invited to meet with Code Enforcement Department staff; Gary Chambers, Planning Department staff; Angela Tafolla, and Building & Safety Department staff; Matthew Wirz to discuss the plans under review and the design's relation to the Code Special Inspection conducted on the property April 14, 2014. I had requested from Mr. Marroquin your attendance at the meeting, as the owner of the property to discuss how the plans keep evolving and the scope of work does not cover the noted issue and the structures shown do not meet what is allowed by code. Mr. Marroquin notified staff at the meeting that he forgot to relay the request to the owners for their attendance. This letter hopes to serve as a summary of the meeting and outline the issues with the property code compliance moving forward.

In 2014 a special inspection was conducted on the property identified as 25541 Amanda Street. A letter was drafted by the Building Official Dale Everman and addressed to the Owner at the time, Jhonny Meza. The original dwelling was 1038 sqft with an attached 420 sq/ft covered (in the front of the house) and a detached 420 sq/ft garage with the dimensions of 15' x 28'. The letter identifies Code violations of the property at that time in 2014. These violations include but are not limited to:

- The dwelling has a bedroom closet converted into a ½ bath
- The dining room was enclosed to make a bedroom.
- A garage was converted to guest house and laundry.
- A one and a half car garage constructed behind (to the south) of the original garage structure.



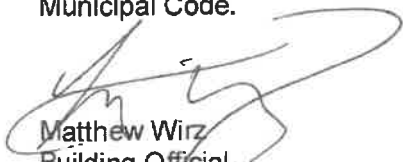
A letter, undated, from Mr. Marroquin was received by the Building Official, Mr. Everman on 02/15/2015. This letter requests four weeks to submit plans on behalf of Mr. Jhonny and Mrs. Sonia Meza to correct the violations. No records of plans or applications for permits for the property were received until late 2018 when plans were eventually submitted for review (plan check activity number 20181009). The plan check was eventually expired, and a new plan check was submitted 04/19/2021 (plan check activity number 20210386).

The new plans failed to address the unpermitted items outlined in the 2014 letter. Furthermore, since 2014 additional work has been done to the property without permits or planning approval, these items include but are not limited to.

- A complete rehab and expansion of the guest house to now an additional dwelling unit with a kitchen.
- The demolition of the unpermitted carport on the front (north side) of the garage. Between 2020 and 2021.
- A large (approximately 18' X 35'), carport with gable roof and garage door constructed on the property line in place of the demolished carport. Between 2020 and 2021.
- A flat roof structure 20' x 15' attached to the east side of the unpermitted south garage. Between 2020 and 2021.
- A patio type structure approximately 150 sq/ft on the southwest corner of the property. Between 2016 and 2018.
- A complete reroof of all structures Between 2020 and 2021.

Mr. Marroquin and staff discussed the inconsistencies in the plans with the condition of the site and Mr. Marroquin stated he has discussed with the owner these concerns. Mr. Marroquin is also aware of the structures that will not be allowed to be permitted as presented and constructed as they violate Building Codes and local Development Code regulations. Mr. Marroquin has agreed to discuss with you the plan changes that will be required and options going forward. Staff asked Mr. Marroquin how long he needed for such a discussion and to draft the changes to the plans and he stated 6 weeks to make changes. Staff agreed to this timeline and will await an approved design to be resubmittal prior to the agreed upon date of April 18th 2023 at the close of business.

Please note that the lack of continuation of this project by failure to submit a plan, submittal of an incomplete plan, or submittal of a plan which fails to address all of the noted violations, as discussed in this letter and prior letter dated April 15, 2014, will result in further code enforcement action and the City may initiate legal proceedings and all costs incurred by the city in removing the nuisances may be assessed to you pursuant to the applicable procedures of the Highland Municipal Code.



Matthew Wirz
Building Official
City of Highland

CC: OJM Designs - Attn: Omar Marroquin with OJM Designs, City of Highland Code Enforcement Department - Attn: Gary Chambers, City of Highland Planning Department - Attn: Angela Tafolla

EXHIBIT “5”

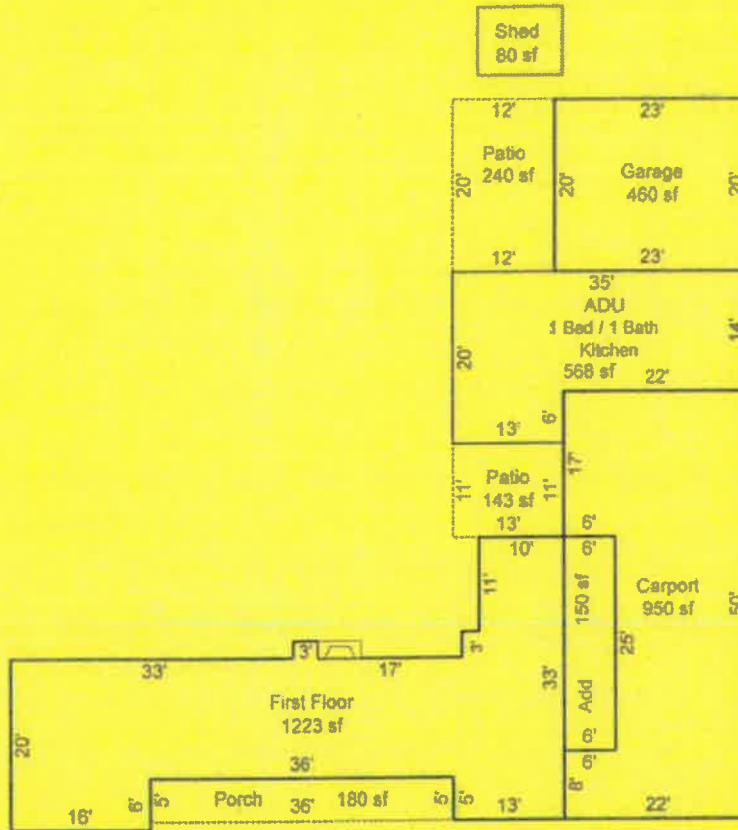
SBC Accessor-Recorder property sketch dated October 13, 2021

SKETCH/AREA TABLE ADDENDUM

SUBJECT INFO

File No.: Parcel No.: 0273-251-36-0000
 Property Address: 25541 AMANDA STREET
 City: SAN BERNARDINO County: State: CA ZipCode: 92404
 Owner:
 Client: Client Address:
 Appraiser Name: Inspection Date: 10-13-21

SKETCH



Sketch by Apex Sketch

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	Add	1	150	62	
	First Floor	1	1223	212	1373
GAR	Carport	1	950	156	
	Garage	1	460	86	1410
OTH	ADU	1	568	110	
	Shed	1	80	36	648
P/P	Porch	1	180	82	
	Patio	1	143	48	
	Patio	1	240	64	563

COMMENT TABLE 1

10/13/21 Drawn from field check measurements. #674

COMMENT TABLE 2

COMMENT TABLE 3

Net LIVABLE (rounded) 1,373

273-251-36 2053

EXHIBIT “6”

Property sketch attached to electronic file dated
February 20, 2018

Rear Lot Line from Gar/Stor. 45'

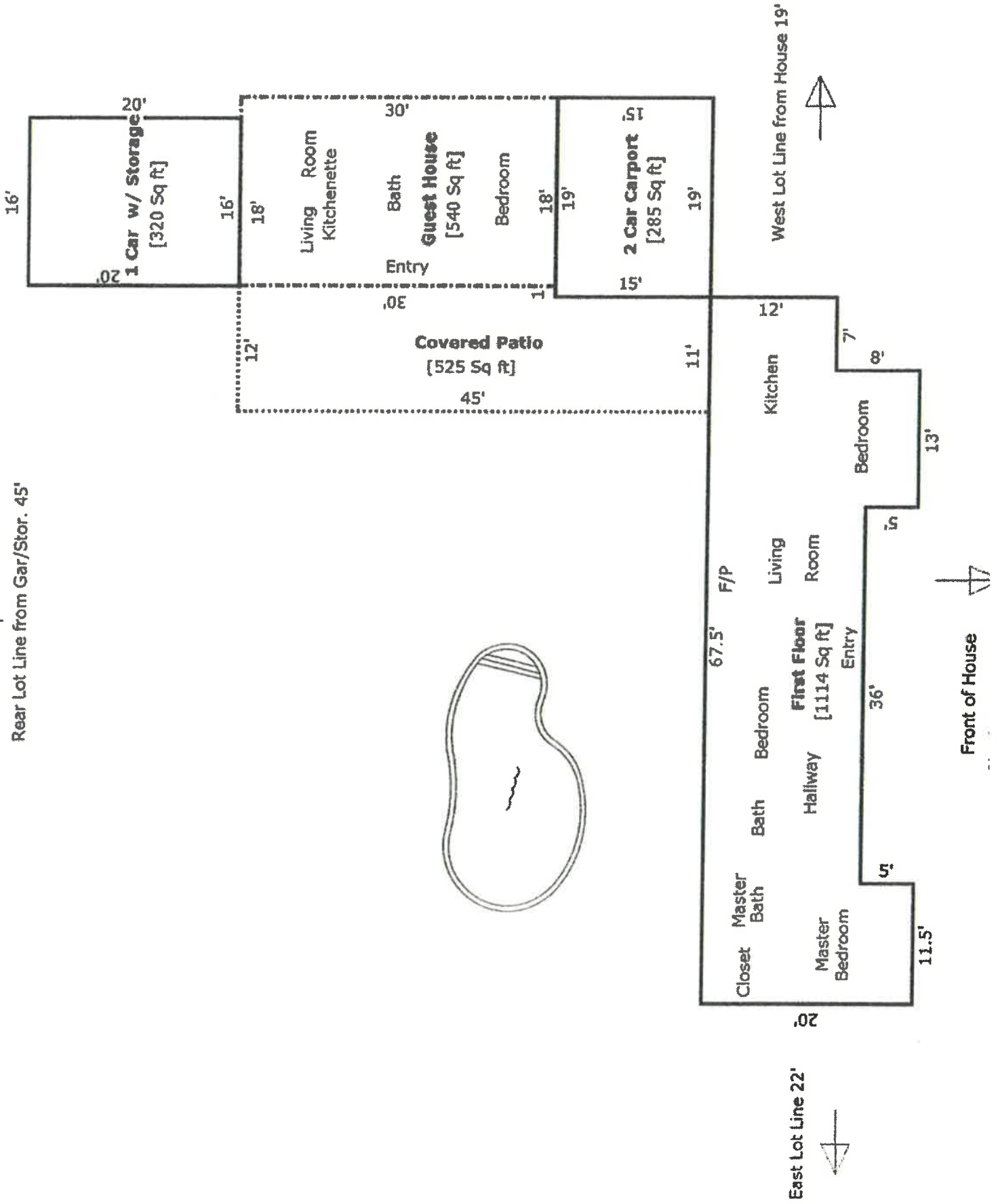
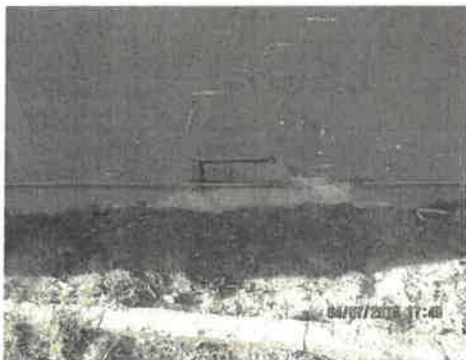


EXHIBIT “7”

Case photographs dated April 07, 2014







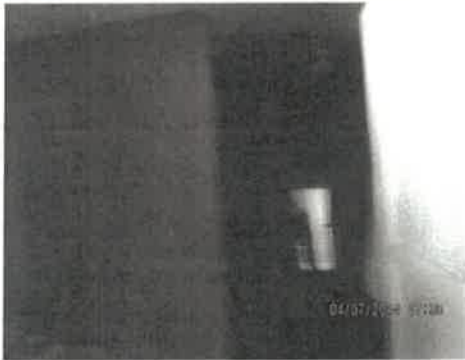


EXHIBIT “8”

Case photographs dated October 27, 2020

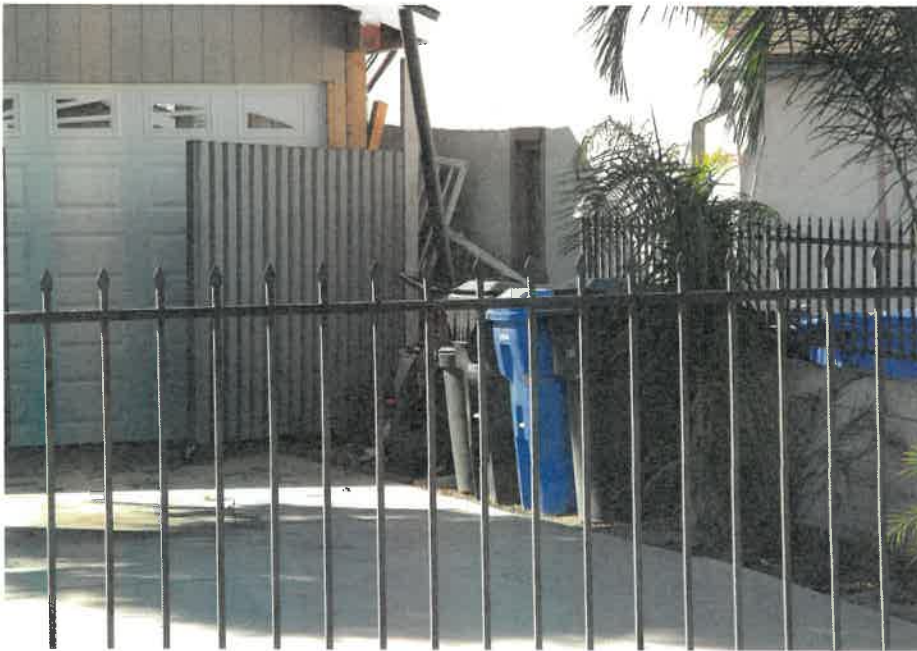




EXHIBIT “9”

Case photographs dated November 30, 2020



EXHIBIT “10”

Case photographs dated April 15, 2021





EXHIBIT “11”

Case photographs dated April 29, 2021

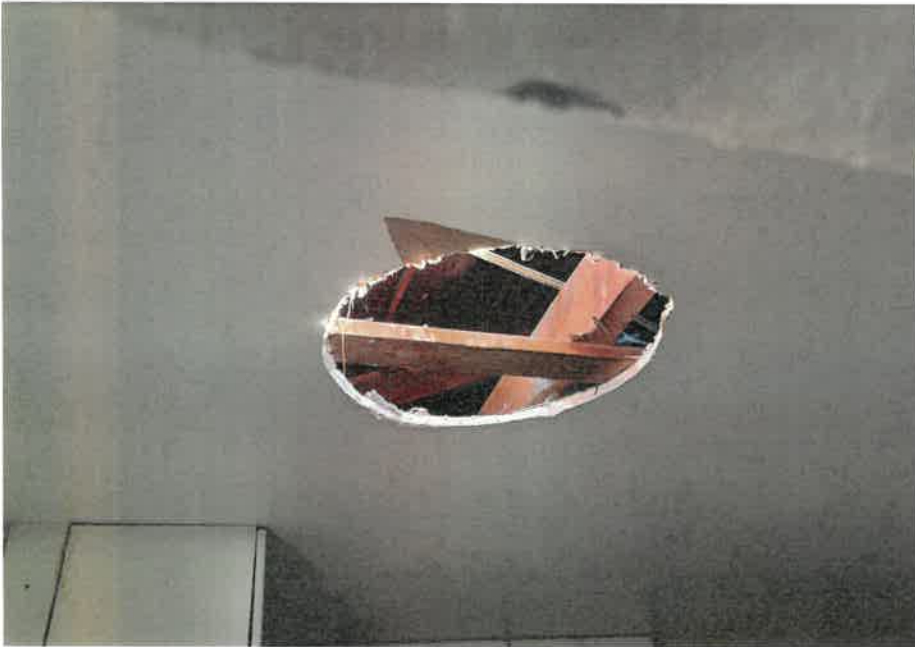










EXHIBIT “12”

Case photographs dated April 21, 2022



EXHIBIT "13"

Case photographs dated May 16, 2022



EXHIBIT “14”

Case photographs dated September 14, 2023





