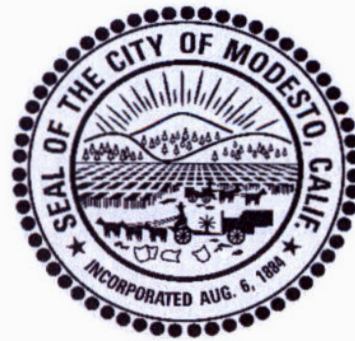


**CITY OF MODESTO,  
CALIFORNIA**  
Community and Economic  
Development Department  
Building Safety and Neighborhood  
Preservation Division  
P.O. Box 642  
1010 Tenth Street, Suite 3100  
Modesto, California 95353



Building Safety:  
Telephone (209) 577-5232  
TDD (209) 526-9211

## **NOTICE OF PASSAGE OF RESOLUTION**

**October 11, 2024**

**TO: FLORES-GALVAN BLANCA  
1405 WOODSIDE DR  
MODESTO, CA 95355**

**VIA: CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**RE: GARAGE CONVERSION WITHOUT PERMITS GAS LEAK LOCATED AT THE PROPERTY KNOWN AS 1405 WOODSIDE DR, MODESTO, CA; CITY OF MODESTO CODE ENFORCEMENT CASE NO. COD2022-02590**


PLEASE TAKE NOTICE that on Thursday, September 26, 2024, the Board of Building Appeals of the City of Modesto conducted a public hearing regarding the real property situated in the City of Modesto commonly referred to as 1405 WOODSIDE DR (hereinafter referred to collectively as the "premises"). Following the public hearing, the Board adopted Resolution No. 2024-07, a true and correct copy of which is attached to this Notice.

PLEASE TAKE FURTHER NOTICE THAT PURSUANT TO RESOLUTION 2024-07, THE BOARD APPROVED A MOTION TO DECLARE THE PROPERTY A PUBLIC NUISANCE AND UPHOLD THE NOTICE AND ORDER DATED WEDNESDAY, AUGUST 07, 2024. THE BOARD APPROVED THE CITY'S RECOMMENDATION AS FOLLOWS:

**THE BOARD UPHOLDS THE NOTICE AND ORDER DATED AUGUST 07, 2024; THE BOARD AFFIRMS ADMINISTRATIVE COSTS IN THE AMOUNT OF ONE THOUSAND AND TWENTY-NINE DOLLARS AND FOURTY-THREE CENTS (\$1,029.43); THE BOARD UPHOLDS THE CIVIL PENALTIES IN THE AMOUNT OF FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$5,700.00) IN ABEYANCE; THE BOARD ORDERS THE APPELANT TO SCHEDULE A WALK THROUGH INSPECTION WITH THE CITY WITHIN TWO WEEKS FROM THE HEARING DATE OF SEPTEMBER 26, 2024; THE BOARD ORDERS THE APPELANT TO SUBMIT PLANS AND OBTAIN A PERMIT WITHIN SIXTY (60) CALENDAR DAYS; THE BOARD ORDERS THE APPELANT TO OBTAIN A FINAL INSPECTION WITHIN ONE HUNDRED AND TWENTY (120) CALENDAR DAYS WITH A POSSIBLE THIRTY (30) CALENDAR DAY EXTENSION IF NECESSARY. IF THE OWNER FAILS TO MEET THE REQUIREMENTS, THE FULL CIVIL PENALTIES WILL BECOME DUE AND MADE A LIEN AND SPECIAL ASSESSMENT AGAINST THE REAL PROPERTY ADDRESSED AS 1405 WOODSIDE DRIVE, MODESTO CA.**

PLEASE TAKE FURTHER NOTICE that the owners of the premises or any other interested person having any objections, or feeling aggrieved at any proceeding taken by the City of Modesto in ordering abatement of the nuisance, must bring an action in a court of competent jurisdiction within thirty (30) days after the date of posting on the premises the Notice of Passage of the Resolution declaring the nuisance to exist to contest the validity of any proceedings leading up to and including the adoption of the resolution, otherwise all objections will be deemed to have been waived.

Dated: October 11, 2024

  
\_\_\_\_\_  
Oscar Diaz  
SECRETARY TO THE BOARD

ODI:ae  
Attachment

Enclosure: City of Modesto Invoice

**cc: FLORES-GALVAN BLANCA  
1405 WOODSIDE DR  
MODESTO, CA 95355**

City Attorney  
Oscar Diaz, Chief Building Official  
Chris Kemper, Building Safety Program Coordinator  
File

BOARD OF BUILDING APPEALS  
RESOLUTION NO. 2024-07,

THE BOARD APPROVED A MOTION TO DECLARE THE PROPERTY A PUBLIC NUISANCE AND UPHOLD THE NOTICE AND ORDER DATED AUGUST 07, 2024. THE BOARD APPROVED THE CITY'S RECOMMENDATION AS FOLLOWS; THE BOARD UPHOLDS THE NOTICE AND ORDER DATED AUGUST 07, 2024; THE BOARD AFFIRMS ADMINISTRATIVE COSTS IN THE AMOUNT OF ONE THOUSAND AND TWENTY-NINE DOLLARS AND FOURTY-THREE CENTS (\$1,029.43); THE BOARD UPHOLDS THE CIVIL PENALTIES IN THE AMOUNT OF FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$5,700.00) IN ABEYANCE; THE BOARD ORDERS THE APPELLANT TO SCHEDULE A WALK THROUGH INSPECTION WITH THE CITY WITHIN TWO WEEKS FROM THE HEARING DATE OF SEPTEMBER 26, 2024; THE BOARD ORDERS THE APPELLANT TO SUBMIT PLANS AND OBTAIN A PERMIT WITHIN SIXTY (60) CALENDAR DAYS; THE BOARD ORDERS THE APPELLANT TO OBTAIN A FINAL INSPECTION WITHIN ONE HUNDRED AND TWENTY (120) CALENDAR DAYS WITH A POSSIBLE THIRTY (30) CALENDAR DAY EXTENSION IF NECESSARY. IF THE OWNER FAILS TO MEET THE REQUIREMENTS, THE FULL CIVIL PENALTIES WILL BECOME DUE AND MADE A LIEN AND SPECIAL ASSESSMENT AGAINST THE REAL PROPERTY ADDRESSED AS 1405 WOODSIDE DRIVE, MODESTO CA.

WHEREAS, FLORES-GALVAN BLANCA have/has title to and is/are the recorded owner(s) of property located at 1405 WOODSIDE DR in the City of Modesto, County of Stanislaus, hereinafter referred to collectively as the "premises"; and

WHEREAS, the premises at 1405 WOODSIDE DR consists of GARAGE CONVERSION WITHOUT PERMITS GAS LEAK; and

WHEREAS, the Chief Building Official of the City of Modesto is authorized by the Building Maintenance Code of the City of Modesto to enforce all provisions of the Code including authority to inspect any building or structure and order that any such building or structure determined under the Building Maintenance Code to be Unsafe and Unfit for Human Occupancy be declared a public nuisance and order the recorded owner to abate the nuisance conditions by demolition abatement of the unsafe structures and meet deadlines set for construction on the property; and

WHEREAS, inspection of the premises was conducted by City of Modesto Building Safety Division personnel on FIRST INSPECTION; and

WHEREAS, a Notice and Order dated August 07, 2024, was issued by the

Chief Building Official and ordered;

1. The owner is to obtain approval from Planning to convert a garage into a habitable place.
2. Remove all drywall in anticipation of rough frame, insulation, and rough electrical inspections within 30 days of the Notice & Order
3. Obtain Planning approval for an accessory dwelling unit within 30 days of the Notice & Order
4. Submit complete plans and supporting documents and apply for a building permit within 60 days
5. Obtain a permit within 120 days of the Notice & Order; and

WHEREAS, said Notice and Order dated August 07, 2024, gave notice that the premises were found to be deemed unsafe and a public nuisance; and

WHEREAS, on August 07, 2024, said Notice and Order of August 07, 2024, was mailed by certified mail, postage prepaid, return receipt requested to record owners and the holder of the deed of trust of record, pursuant to Article 12 of the Building Maintenance Code of the City of Modesto; and

WHEREAS, on August 07, 2024, said Notice and Order of August 07, 2024, was posted on the premises; and

WHEREAS, the owner(s) of said premises have failed to complete work within the time specified in said Notice and Order and, therefore, the owner(s) are now in violation of the Building Maintenance Code of the City of Modesto; and

WHEREAS, the property continues to constitute a public nuisance; and

WHEREAS, pursuant to California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 6, Section 66, thirty (30) days after the posting of copies of this resolution, the City of Modesto shall be deemed to have acquired jurisdiction to abate such nuisance by razing or removing the building unless the nuisance is abated by the owner or the person interested within the thirty (30) day period or any extension thereof granted by the Board of Building Appeals as provided in Article 12 of the Building Maintenance Code. In the event that the nuisance is not abated within the time prescribed, the City of Modesto may thereupon raze and remove the premises or have the same done under its direction and supervision; and

WHEREAS, on September 16, 2024, a “Notice of Board of Building Appeals Civil Penalty Hearing” was mailed by certified mail, postage prepaid, return receipt requested, to record owner(s) and posted on the property, pursuant to California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 6, Sections 58 and 60; and

WHEREAS, said “Notice of Board of Building Appeals Civil Penalty Hearing”

gave notice that a public hearing would be held by the Board of Building Appeals of the City of Modesto, on September 26, 2024 at 4:00 p.m., in the basement level Conference Room B300 – Tenth Street Place, 1010 Tenth Street, Modesto, California; regarding the real property situated in the City of Modesto commonly referred to as 1405 WOODSIDE DR; and

WHEREAS, a duly noticed public hearing of the Board was held at date, time, and place as mentioned above, for the purpose to hear and receive evidence to determine whether said premises constitutes a public nuisance and to consider other appropriate action to abate such nuisance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Building Appeals of the City of Modesto, that the following be ordered:  
THE BOARD UPHOLDS THE NOTICE AND ORDER DATED AUGUST 07, 2024, THE BOARD UPHOLDS THE NOTICE AND ORDER DATED AUGUST 07, 2024; THE BOARD AFFIRMS ADMINISTRATIVE COSTS IN THE AMOUNT OF ONE THOUSAND AND TWENTY-NINE DOLLARS AND FOURTY-THREE CENTS (\$1,029.43); THE BOARD UPHOLDS THE CIVIL PENALTIES IN THE AMOUNT OF FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$5,700.00) IN ABEYANCE; THE BOARD ORDERS THE APPELLANT TO SCHEDULE A WALK THROUGH INSPECTION WITH THE CITY WITHIN TWO WEEKS FROM THE HEARING DATE OF SEPTEMBER 26, 2024; THE BOARD ORDERS THE APPELLANT TO SUBMIT PLANS AND OBTAIN A PERMIT WITHIN SIXTY (60) CALENDAR DAYS; THE BOARD ORDERS THE APPELLANT TO OBTAIN A FINAL INSPECTION WITHIN ONE HUNDRED AND TWENTY (120) CALENDAR DAYS WITH A POSSIBLE THIRTY (30) CALENDAR DAY EXTENSION IF NECESSARY. IF THE OWNER FAILS TO MEET THE REQUIREMENTS, THE FULL CIVIL PENALTIES WILL BECOME DUE AND MADE A LIEN AND SPECIAL ASSESSMENT AGAINST THE REAL PROPERTY ADDRESSED AS 1405 WOODSIDE DRIVE, MODESTO CA.

BE IT FURTHER RESOLVED:

1. If the final inspection approval is not completed by February 04, 2024, the City of Modesto shall be deemed to have acquired jurisdiction to abate such nuisance by razing or removing the buildings, unless the nuisance is abated by the owner or other person, or any extension thereof granted by the Board of Building Appeals. In the event that the nuisance is not abated within the time prescribed, the City of Modesto may thereupon raze and remove the building so declared to constitute a nuisance or have the same done under its direction and supervision.
2. In the event that the City of Modesto razes and removes the buildings so declared to constitute a nuisance or have the same done under its direction and supervision, the City of Modesto shall keep an itemized account of the expense involved in the razing or removing of any such buildings and shall deduct therefrom the amount

received from the sale of any building materials pursuant to California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 6, Section 68. The City of Modesto may proceed to recover its expenses in the razing or removing of any such buildings pursuant to California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 6, Section 68 and Section 70.

BE IT FURTHER RESOLVED that the City of Modesto shall cause to be posted on the premises a Notice of the Passage of this Resolution No. 2024-07 , declaring a nuisance and directing abatement of the nuisance.

BE IT FURTHER RESOLVED that within thirty (30) days after passage of this Resolution No. 2024-07, the City of Modesto shall cause to be posted a copy of said resolution conspicuously on the buildings so declared to be a nuisance and mail another copy of the resolution by certified mail, postage prepaid, return receipt requested, to (1) the person(s) owning the land on which the buildings are located as such person's name and address appear on the last equalized assessment roll, and (2) to each mortgagee or beneficiary under any deed of trust, of record, at the last known address of such mortgagee or beneficiary. The officer or employee giving notice as aforesaid, shall file an affidavit thereof in the manner provided for in California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 6, Section 58.

The foregoing matter was introduced at the regular meeting of the Board of Building Appeals of the City of Modesto held on September 26, 2024, by Board Member, Jesse Wiggins who moved its adoption, which motion being duly seconded by Board Member, Evan Yoshino, was upon roll call carried in the resolution adopted by the following vote:

Ayes:	Bergman, Yoshino, Harter, Huelon, Wiggins
Noes:	None
Absent:	None

BY ORDER OF THE BOARD OF BUILDING APPEALS OF THE CITY OF MODESTO.



Evan Yoshino  
Board Vice Chair of Building Appeals

INVOICE

CITY OF MODESTO

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT  
BUILDING SAFETY DIVISION  
1010 Tenth Street, Suite 3100 Modesto CA 95354  
Mailing Address: P.O. Box 642 Modesto CA 95356  
209-577-5232



TO: FLORES-GALVAN BLANCA  
1405 WOODSIDE DR  
MODESTO, CA 95355

INVOICE NO: 151496  
DATE: 10/11/24

CUSTOMER NO: 67097/222975

TYPE: BD - BUILDING DEVELOPMENT

QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1.00	ABATEMENT PROG ADMIN COST 4910-14998-43291-101506 9/26/2024 BBA CIVIL PENALITY HEARING - RESO. NO 2024-07 RE: 1405 WOODSIDE DR COD CASE COD2022-02590	1,029.43	1,029.43

PAY ONLINE AT [MODESTOGOV.COM](http://MODESTOGOV.COM) OR CALL 209-577-5303

TOTAL DUE: \$1,029.43

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 10/11/24 DUE DATE: 10/21/24  
CUSTOMER NO: 67097/222975

NAME: FLORES-GALVAN BLANCA  
TYPE: BD - BUILDING DEVELOPMENT

REMIT AND MAKE CHECK PAYABLE TO:  
CITY OF MODESTO  
PO BOX 3441  
1010 TENTH STREET  
MODESTO CA 95353

INVOICE NO: 151496  
TERMS: NET 10 DAYS

AMOUNT: \$1,029.43

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE - CCP §1013(a)(3)**

I am employed in the County of Stanislaus, State of California. I am over the age of eighteen years and not a party to the within entitled cause; my business address is: 1010 10<sup>th</sup> Street, Modesto, California 95354.

On October 11, 2024, I served a copy of the NOTICE OF PASSAGE OF RESOLUTION, 1405 Woodside Dr, Assessor's Parcel 065015040 in Modesto, California, on all parties in said action by serving a true copy thereof as follows:

**TO: FLORES-GALVAN BLANCA  
1405 WOODSIDE DR.  
MODESTO CA, 95355**

**BY MAIL:** I deposited the sealed envelope with the postage thereon fully prepaid to - the office's practice for collection and processing of correspondence for mailing, and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

**BY CERTIFIED MAIL:** I deposited the sealed envelope with the postage thereon fully prepaid to be placed in the United States Mail at Modesto, California. I am readily familiar with the office's practice for collection and processing of correspondence for mailing, and pursuant to those practices the envelope would be deposited with the United States Postal Service the same day.

**BY PERSONAL SERVICE:** I caused the within document to be hand delivered to the parties herein at the addresses set forth above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I executed this 11<sup>th</sup> day of October 2024, at Modesto, California.

  
\_\_\_\_\_  
Adrian Estrada, Admin Office Assistant III

**COD2022-02590**