

**A vacant lot on Highway 4, Rodeo**

**APN: 358-040-013**

**Case File: BIRG20-00435**

**Title 8**



# Department of Conservation and Development

## County Zoning Administrator

**Monday, December 2 – 1:30 p.m.**

### **STAFF REPORT**

### **Agenda Item #**

**Project Title: NOTICE OF FINE APPEAL HEARING**

**County File: BIRG20-00435**

**Owners: RODRIGUEZ, BRENDA VERA**

**Zoning: A-4**

**Site Address: 0 HIGHWAY 4, RODEO, CA**

**Parcel Number(s): 358040013**

**Code Enforcement Officer: Bill Lovan**

**Staff Recommendation: See section IV**

### **Notice of Fine Appeal Hearing**

#### **I. PROJECT DESCRIPTION**

This is an appeal hearing for a Notice of Fine that was issued for Code Enforcement Case BIRG20-00435. This case is for violations including, but not limited to an illegal contractor's yard being operated on the property. Shipping containers, construction trailer, and a travel trailer, in addition to vehicles being stored on the property without the necessary approvals or permits. Accordingly, this is in violation of Contra Costa County Ordinance 82 & 84 Adoption of Zoning Ordinance; 82-2.002. Land use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District; 84-42.404 Contractor Yard Defined; 82-4.221.

#### **II. BACKGROUND**

On June 2, 2020, Code Enforcement officer Ron Swenson received a complaint and on June 3, 2020, during a follow up site inspection conducted on December 22, 2023, Code Enforcement officer Bill Lovan observed violations including, but not limited to an illegal contractor's yard being operated on the property. Shipping containers, construction trailer, and a travel trailer, in addition to vehicles being stored on the property without the necessary approvals or permits.

On July 3, 2020, a Field Notice to Comply was posted on the property.

On August 19, 2022, a new Code Enforcement officer Bill Lovan was assigned to the case.

On August 30, 2022, a Revised Notice to Comply was mailed to the owner of record, as per Contra Costa County Ordinance Procedures, which was Rodriguez, Brenda Vera.

On September 16, 2022, Notice of Intent to Record, Notice of Pending Abatement, & Notice of Violation posted on property and mailed.

On October 18, 2022, Notice of Fine was posted and mailed.

On November 18, 2022, the owner of the property Rodriguez, Brenda Vera an appeal was mailed to Department of Conservation and development and received by the Code Enforcement department. The file was submitted to the Deputy Director of the Building Department for review by Senior Code Enforcement officer for review. Code Enforcement officer Bill Lovan was instructed to allow more time for the permits to be obtained.

On January 9, 2024, a Revised Notice to Comply including both building violations was mailed to the owner of record, as per Contra Costa County Ordinance Procedures, which was Rodriguez, Brenda Vera.

On January 25, 2024, posted a Notice of Intent to record on property and mailed to owner of record, which was Rodriguez, Brenda Vera.

On March 21, 2024, posted a Revised Notice to Comply and Notice of Violation and mailed.

On June 28, 2024, an appeal of Notice of Fine received by Code Enforcement staff which was dated June 28, 2024.

### **III. DISCUSSION OF APPEAL POINTS**

1. First appeal point: The property owner currently lives in Seattle Washington which caused a delay with the receipt of mailed notices.
  - Refute- There was no response by phone, email, or postal mail to neither of the notices prior to the Notice of Fine.
2. Second appeal point: The property owner claims they are willing to correct the violation but did not hear back from the assigned grading inspector John Bodner who emailed her on August 10, 2022, who stated they would submit comments by the end of that week.
  - Refute- On August 13, 2020 inspector John Bodner emailed the applicant/ property owner requesting additional information. The applicant/ property owner also stated that she did not continue to track the status of the permit application due to her being induced to the hospital on August 14, 2020, for the birth of her daughter.

3. Third appeal point: The property owner claims that on September 23, 2022, when she received the Administrative Penalty Notice of Violation, she emailed the county for assistance and did not receive a response.
  - Refute- The assigned Code Enforcement officer has no record of the email and did not receive an email from the property owner until October 28, 2022.

#### **IV. RECOMMENDATIONS**

Staff recommends that the County Zoning Administrator or Building Official:

- 1) Direct the property owner to remove the violation within the next thirty (30) days.

OR

- 2) Direct the property owner to pay the fine amount listed in the Notice of Fine

# **Attachment: Notifications from Code Enforcement**

BIRG20-00435  
CONTRA COSTA COUNTY  
DEPARTMENT OF CONSERVATION & DEVELOPMENT  
BUILDING INSPECTION DIVISION

☐ STOP WORK- Issuance Date/Time: \_\_\_\_\_  
☒ NOTICE TO COMPLY- Issuance Date/Time: 6-3-2020  
0850

Site/Location: 0 HIGHWAY 4  
RODEO CA. 94572  
Owner: RODRIGUEZ BRENDA VERA  
APN: 358-040-013 Phone: \_\_\_\_\_

You are hereby notified that the County code enforcement officer specified below has observed the following conditions on your property at the above location:

GRADING OVER 200 CUBIC  
YARDS WITHOUT PROPER PERMITS  
AND INSPECTIONS

are in violation of:

- ☐ **Building Code Violation.** Structure constructed or altered without a building permit, as required by Contra Costa County Ordinance 72-6.202
- ☐ **Electrical Code Violation.** Electrical system altered without an electrical permit, as required by Contra Costa County Ordinance 72-6.202
- ☐ **Plumbing Code Violation.** Plumbing system has been altered without a plumbing permit, as required by Contra Costa County Ordinance 72-6.202
- ☐ **Mechanical Code Violation.** Mechanical system has been altered without a mechanical permit, as required by Contra Costa County Ordinance 72-6.202
- ☒ **Section 716-2.602, Grading Code Violation.** Grading without a grading permit.
- ☐ **Section 720-2.006, Residential Property Nuisance**
- ☐ **Section 82-2.006, Not A Permitted Land Use.** The conditions on the property violate County Zoning Code \_\_\_\_\_

To comply with this notice, you must apply for all necessary permits or remove the condition specified above from the property within 10 days of the date of this notice.

An investigation has begun and compliance is required to correct the above violations. A code enforcement fee shall be charged equal to two times the amount of all permit fees, with a minimum of \$250.00.

To comply with this notice, the Building Inspection Division may pursue any remedy allowed by law, including but not limited to the following:

- Issue a citation.
- Impose an administrative fine.
- Issue an abatement order.

You are also subject to code enforcement inspection fees.

**You may contact the following offices for permit information.**

Main office: 30 Muir Road, Martinez (925) 674-7200  
East County Office: 1120 Second Street #101, Brentwood (925) 427-8850  
Lamorinda Office: 3685 Mt. Diablo Blvd., # 120, Lafayette (925) 299-0262

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

**Maureen Toms**  
Deputy Director

**Amalia Cunningham**  
Assistant Deputy Director

**Kelli Zenn**  
Business Operations Manager

**NOTICE OF INTENT TO RECORD A NOTICE OF  
PENDING NUISANCE ABATEMENT PROCEEDING**

June 30, 2020

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

NOTICE IS GIVEN that the Contra Costa County Department of Conservation & Development, Building Inspection Division intends to record the attached notice of pending nuisance abatement proceeding against the above-referenced property. The attached notice will be recorded at the Contra Costa County Recorder's Office no sooner than 10 calendar days from the date of this notice. The unlawful conditions existing at the property are described in the attached notice. A copy of the recorded notice of pending nuisance abatement proceeding will be served on the record owner of the property following recordation of the notice. (County Ordinance Code section 14-6.414.)

If you have any questions regarding this matter, or if you have evidence that the unlawful conditions do not exist at the property, you may contact the county officer issuing this notice at the address or telephone number listed below.

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd., Martinez, CA 94553

A handwritten signature in black ink, appearing to read "Ron Swenson", is written over a horizontal line.

Ron Swenson  
Building Inspector/Code Enforcement Officer  
(925) 674-7778  
Ron.Swenson@dcd.cccounty.us

**RECORDING REQUESTED BY:**

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

**RETURN TO:**

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

copy/duplicate has not been  
compared to original document

07/22/2020,20200146231

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**NOTICE OF PENDING NUISANCE ABATEMENT PROCEEDING**

ADDRESS OF PROPERTY: 0 HIGHWAY 4, RODEO, CA  
OWNER: RODRIGUEZ BRENDA VERA  
APN: 358040013  
REF: BIRG20-00435

NOTICE IS GIVEN that a nuisance abatement proceeding has commenced against the above-described property. The property is located in a/an A-4 zoning district. The property has been inspected by the Contra Costa County Building Inspection Division and the following conditions have been observed: Grading over 200 cubic yards without proper permits or inspections.

These conditions are a public nuisance in violation of the following Contra Costa County Ordinance Code sections: 716-2.602

When this nuisance abatement proceeding has been completed, a notice of final disposition will be served on the record owner of the property. The notice of final disposition may be recorded by any party that was served with this notice of pending nuisance abatement proceeding. (County Ordinance Code section 14-6.414.)

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd., Martinez, CA 94553



Ron Swenson  
Building Inspector/Code Enforcement Officer  
(925) 674-7778  
Ron.Swenson@dcd.cccounty.us



**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

August 30, 2022

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

To: Property Owner

This letter is in response to a change of Inspector on the case and to a recent case review. After review it has been determined that the violation still exists. Please refer to the enclosed Notice to Comply for violation description and corrective actions.

The department appreciates your cooperation and would like to continue working with you towards a solution to your violation(s). If you have any questions or concerns, I may be reached at (925) 655-3044 any workday between 7:30 and 10:00 a.m.

*Bill Lovan*

---

Bill Lovan  
Building Inspector/Code Enforcement Officer  
William.Lovan@dcd.cccounty.us

WL: ab

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

**REVISED NOTICE TO COMPLY**

August 30, 2022

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

You are hereby notified that this department has observed your property at the above location and determined it is in violation of the Contra Costa County Ordinance Code for the following reason(s):

Violation Description and County Ordinance Code Section

1. On July 6, 2020, Department staff observed grading over 200 cubic yards without proper permits and inspections. Accordingly, this is in violation of Contra Costa County Ordinance 716-2.602. Permits Required.

You must clear the above violation(s) by taking the following corrective action(s):

Corrective Actions

1. Apply for and obtain the necessary permit(s) from this Department **within ten (10) days** of this notification. Once the permits have been issued you must complete the inspection process until an approved final inspection has been achieved.

An investigation has begun, and compliance is required to correct the above violation(s). A code enforcement fee shall be charged equal to two times the amount of all permit fees with a minimum of \$300.00. Zoning violation clearances require a minimum of a \$300.00 fee. A fee of \$150.00 per trip will be charged until compliance is met. The fees are additive to the building permit/zoning fees. **All fees are subject to change.**

If you fail to comply with this notice, this office will take one or more of the following actions:

1. **Record this notice on property records**

- 2. Refer to County Counsel for legal action**
- 3. Issue a Citation – Court appearance, penalties and fines**
- 4. Notify the Franchise Tax Board (On rental units declared substandard)**
- 5. Obtain abatement order – All costs plus administrative fees billed to owner**
- 6. Administrative Penalty Procedures – Daily fines for each noted violation**

I may be reached at (925) 655-2811 any workday between 7:30 and 10:00 a.m.

*Bill Lovan*

---

Bill Lovan  
Building Inspector/Code Enforcement Officer  
William.Lovan@dcd.cccounty.us

WL: ab

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

**ADMINISTRATIVE PENALTY NOTICE OF VIOLATION**  
(Contra Costa County Ordinance Code, § 14-12.006)

September 16, 2022

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4 , RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

Our records indicate that you are the responsible party of record of the above-referenced property.

An inspection of the property was conducted on July 6, 2020, and the following violation(s) noted:

1. Grading over 200 cubic yards without proper permits and inspections. This in violation of Contra Costa County Ordinance 716-2.602. Permits Required.

To correct this violation, you must:

1. Apply for and obtain the necessary permit(s) from this Department **within thirty (30) days** of this notification. Once the permits have been issued you must complete the inspection process until an approved final inspection has been achieved.

This violation must be abated within thirty (30) days from September 16, 2022.

If the violation is not abated within thirty (30) days from September 16, 2022, you will receive a Notice of Fine and be subject to an administrative fine of \$100 for the first day, \$200 for the second day, and \$500 for each subsequent day. Therefore, non-compliance could result in total fines of \$ 14,300.00 on top of any other fines already assessed.

No new fine will be incurred if the violation is abated within thirty (30) days from September 16, 2022.

**Administrative Penalty Notice of Violation**

RODRIGUEZ BRENDA VERA

September 16, 2022

Page 2

Before the above-referenced thirty (30) day period expires, you may submit in writing to the Deputy Director, Building Inspection Division, 30 Muir Road, Martinez, CA 94553, any information, extenuating circumstance, or dispute in the determination of the existence of a violation or the amount of the fine to be imposed. If the Deputy Director determines that an effort is being made to correct the violation(s), he or she may grant an additional period of time for correction of the violation(s). However, if an additional period of time is granted to correct the violation(s), you may be subject to additional fines not to exceed \$500 for each day the violation(s) continues to exist.

Failure to comply with this notice may result in, but is not limited to, any or all of the following actions:

1. Transmittal of Notice of Fine
2. Recordation of Notice of Fine with the Contra Costa County Recorder.
3. Declaration of lien recorded against the property.
4. Other actions for enforcement of a civil judgment.

Please contact the Building Inspector indicated below to discuss correction of these violations.

Thank you for your attention to this matter. Please be advised that this notice only addresses violations of Title 7 of the County Ordinance Code. You may be required to obtain other permits in order to comply with other portions of the County Ordinance Code.



Bill Lovan

Building Inspector/Code Enforcement Officer

(925) 655-3044

William.Lovan@dcd.cccounty.us

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Aruna Bhat**  
Deputy Director

**Jason Crapo**  
Deputy Director

**ADMINISTRATIVE PENALTY NOTICE OF FINE**  
(Contra Costa County Ordinance Code, § 14-12.006)

October 18, 2022

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

Our records indicate that you are the responsible party of record of the above-referenced property. An inspection of the property was conducted on June 6, 2020, and the following violation was noted:

1. Grading over 200 yards without proper approvals and inspections.

In the Notice of Violation dated June 6, 2022, you were advised of the options available to correct the violation on your property and the consequences of non-compliance.

Because the violation has not been corrected, the Director has imposed on you a fine in the amount of \$14,300.

Payment shall be sent to Contra Costa County, Department of Conservation and Development Building Inspection Division, 30 Muir Road, Martinez, CA 94553 **within thirty (30) days of the date of this notification**. The administrative penalty is a personal obligation, and failure to pay the penalty may result in the amount being made a lien and/or special assessment against your property and other legal action may be taken to collect the penalty. If a judicial action is required to collect the penalty, the County will seek to recover its attorney fees and cost from you.

**RIGHT TO APPEAL**

You may appeal this fine by filing a written appeal with the Contra Costa County Department of Conservation and Development, Building Inspection Division, Deputy Director at 30 Muir Road, Martinez, CA 94553, within 15 calendar days of the date of mailing of this notice. The written appeal must contain:

1. A brief statement setting forth the interest you have in the matter relating to the imposition of the penalty.
2. A brief statement of the material facts you claim support the contention that no fine should be imposed or that a fine of a different amount is warranted; and
3. An address at which you agree that notice of any additional proceedings or an order relating to imposition of the fine may be received by first class mail.

If you file an appeal, the appeal hearing will be set no sooner than 20 days and no later than 45 days following the service date of the notice of appeal hearing. Notice of the appeal hearing will be mailed at least 12 calendar days before the date set for the hearing. Failure to appear will cause this notice to become a final order. If you fail to request an appeal, this notice shall be final. Government Code section 53069.4 authorizes judicial review of a final administrative order.

The Director may record a copy of this Notice of Fine with the Contra Costa County Recorder.

Department of Conservation and Development  
Contra Costa County



Bill Lovan  
Code Enforcement Officer  
(925) 655-3044  
William.Lovan@dcd.cccounty.us

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**REVISED NOTICE TO COMPLY**

January 9, 2024

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

You are hereby notified that this department has observed your property at the above location and determined it is in violation of the Contra Costa County Ordinance Code for the following reason(s):

Violation Description and County Ordinance Code Section

1. On July 6, 2020, Department staff observed grading over 200 cubic yards without proper permits and inspections. Accordingly, this is in violation of Contra Costa County Ordinance 716-2.602. Permits Required.
2. On December 22, 2023, Department staff observed an illegal contractor's yard being operated on the property. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of Zoning Ordinance; 82-2.002. Land use Enforcement; 82-2.006. Uses permitted in a P-1 Zoning District; 84-66.402 Contractor Yard Defined; 82-4.221.
3. On December 22, 2023, Department staff observed shipping containers, a construction trailer, a travel trailer in addition to vehicles being stored on the property in an A-4 zoning district. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of the Zoning Ordinance; 82-2.002. Land Use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District 84-66.402. Land Use Enforcement; 82-2.006.
4. On December 22, 2023, Department staff observed a 10x40 foot structure with shade arbor constructed without the necessary approvals or permits. Accordingly, this is in violation of Contra Costa County Ordinance 72-6.202. Permits Required.



You must clear the above violation(s) by taking the following corrective action(s):

Corrective Actions

1. Apply for and obtain the necessary permit(s) from this Department **within ten (10) days** of this notification. Once the permits have been issued you must complete the inspection process until an approved final inspection has been achieved.
2. Discontinue the use and/or remove the illegal contractor's yard being operated on the property **within ten (10) days** of this notification.
3. Discontinue the use and/or remove the shipping containers, construction trailer, travel trailer, and the vehicles from the property OR submit a completed application and obtain the necessary permit(s) from the Community Development Division for review and consideration, to allow the storage of the shipping containers, construction trailer, the travel trailer, and the vehicles **within ten (10) days** of this notification.
4. Apply for and obtain the necessary permit(s) from this Department **within ten (10) days** of this notification. Once the permits have been issued you must complete the inspection process until an approved final inspection has been achieved.

An investigation has begun, and compliance is required to correct the above violation(s). A code enforcement fee shall be charged equal to two times the amount of all permit fees with a minimum of \$300.00. Zoning violation clearances require a minimum of a \$300.00 fee. A fee of \$150.00 per trip will be charged until compliance is met. The fees are additive to the building permit/zoning fees. **All fees are subject to change.**

If you fail to comply with this notice, this office will take one or more of the following actions:

1. **Record this notice on property records.**
2. **Refer to County Counsel for legal action.**
3. **Issue a Citation – Court appearance, penalties, and fines.**
4. **Notify the Franchise Tax Board (On rental units declared substandard).**
5. **Obtain abatement order – All costs plus administrative fees billed to owner.**
6. **Administrative Penalty Procedures – Daily fines for each noted violation.**

I may be reached at (925) 655-3044 any workday between 7:30 and 10:00 a.m.

*Bill Lovan*

---

Bill Lovan  
Building Inspector/Code Enforcement Officer  
William.Lovan@dcd.cccounty.us

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**NOTICE OF INTENT TO RECORD A NOTICE OF  
PENDING NUISANCE ABATEMENT PROCEEDING**

January 25, 2024

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

NOTICE IS GIVEN that the Contra Costa County Department of Conservation & Development, Building Inspection Division intends to record the attached notice of pending nuisance abatement proceeding against the above-referenced property. The attached notice will be recorded at the Contra Costa County Recorder's Office no sooner than 10 calendar days from the date of this notice. The unlawful conditions existing at the property are described in the attached notice. A copy of the recorded notice of pending nuisance abatement proceeding will be served on the record owner of the property following recordation of the notice. (County Ordinance Code section 14-6.414.)

If you have any questions regarding this matter, or if you have evidence that the unlawful conditions do not exist at the property, you may contact the county officer issuing this notice at the address or telephone number listed below.

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd., Martinez, CA 94553

A handwritten signature in black ink, appearing to be "Bill Lovan", is written over a horizontal line.

Bill Lovan  
Building Inspector/Code Enforcement Officer  
(925) 655-3044  
William.Lovan@dcd.cccounty.us

**RECORDING REQUESTED BY:**

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

**RETURN TO:**

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd.  
Martinez, CA 94553

---

**NOTICE OF PENDING NUISANCE ABATEMENT PROCEEDING**

ADDRESS OF PROPERTY: 0 HIGHWAY 4, RODEO, CA  
OWNER: RODRIGUEZ BRENDA VERA  
APN: 358040013  
REF: BIRG20-00435

NOTICE IS GIVEN that a nuisance abatement proceeding has commenced against the above-described property. The property is located in a/an A-4 zoning district. The property has been inspected by the Contra Costa County Building Inspection Division and the following conditions have been observed: grading over 20 cubic yards, an illegal contractor's yard being operated, and shipping containers, a construction trailer, vehicles being stored on the property in an A-4 zoning district, in addition to a 10x40 foot structure with shade arbor constructed without the necessary approvals or permits.

These conditions are a public nuisance in violation of the following Contra Costa County Ordinance Code sections: 716-2.602. Permits Required. 82 & 84. Adoption of Zoning Ordinance; 82-2.002. Land use Enforcement; 82-2.006. Uses permitted in a P-1 Zoning District; 84-66.402 Contractor Yard Defined; 82-4.221. Uses permitted in a A-4 Zoning District 84-66.402.

When this nuisance abatement proceeding has been completed, a notice of final disposition will be served on the record owner of the property. The notice of final disposition may be recorded by any party that was served with this notice of pending nuisance abatement proceeding. (County Ordinance Code section 14-6.414.)

Contra Costa County  
Department of Conservation & Development  
Building Inspection Division  
30 Muir Rd., Martinez, CA 94553

---

Bill Lovan  
Building Inspector/Code Enforcement Officer  
(925) 655-3044  
William.Lovan@dcd.cccounty.us

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**REVISED NOTICE TO COMPLY**

March 21, 2024

RODRIGUEZ BRENDA VERA  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

SITE: 0 HIGHWAY 4, RODEO, CA  
APN: 358040013  
REF: BIRG20-00435

You are hereby notified that this department has observed your property at the above location and determined it is in violation of the Contra Costa County Ordinance Code for the following reason(s):

Violation Description and County Ordinance Code Section

1. On July 6, 2020, Department staff observed grading over 200 cubic yards without proper permits and inspections. Accordingly, this is in violation of Contra Costa County Ordinance 716-2.602. Permits Required.
2. On December 22, 2023, Department staff observed an illegal contractor's yard being operated on the property. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of Zoning Ordinance; 82-2.002. Land use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District; 84-42.402 and 84-42.404 Contractor Yard Defined; 82-4.221.
3. On December 22, 2023, Department staff observed shipping containers, a construction trailer, a travel trailer in addition to vehicles being stored on the property in an A-4 zoning district. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of the Zoning Ordinance; 82-2.002. Land Use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District 84-42.402 and 84-42.404. Land Use Enforcement; 82-2.006.
4. On December 22, 2023, Department staff observed a 10x40 foot structure with shade arbor constructed without the necessary approvals or permits. Accordingly, this is in violation of Contra Costa County Ordinance 72-6.202. Permits Required.

You must clear the above violation(s) by taking the following corrective action(s):

Corrective Actions

1. Apply for and obtain the necessary permit(s) from this Department **within ten (10) days** of this notification. Once the permits have been issued you must complete the inspection process until an approved final inspection has been achieved.
2. Discontinue the use and/or remove the illegal contractor's yard being operated on the property **within ten (10) days** of this notification.
3. Discontinue the use and/or remove the shipping containers, construction trailer, travel trailer, and the vehicles from the property OR submit a completed application and obtain the necessary permit(s) from the Community Development Division for review and consideration, to allow the storage of the shipping containers, construction trailer, the travel trailer, and the vehicles **within ten (10) days** of this notification.
4. Apply for and obtain the necessary permit(s) from this Department **within ten (10) days** of this notification. Once the permits have been issued you must complete the inspection process until an approved final inspection has been achieved.

An investigation has begun, and compliance is required to correct the above violation(s). A code enforcement fee shall be charged equal to two times the amount of all permit fees with a minimum of \$300.00. Zoning violation clearances require a minimum of a \$300.00 fee. A fee of \$150.00 per trip will be charged until compliance is met. The fees are additive to the building permit/zoning fees. **All fees are subject to change.**

If you fail to comply with this notice, this office will take one or more of the following actions:

1. **Record this notice on property records.**
2. **Refer to County Counsel for legal action.**
3. **Issue a Citation – Court appearance, penalties, and fines.**
4. **Notify the Franchise Tax Board (On rental units declared substandard).**
5. **Obtain abatement order – All costs plus administrative fees billed to owner.**
6. **Administrative Penalty Procedures – Daily fines for each noted violation.**

I may be reached at (925) 655-3044 any workday between 7:30 and 10:00 a.m.

*Bill Lovan*

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Bill Lovan  
Building Inspector/Code Enforcement Officer  
William.Lovan@dcd.cccounty.us

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**ADMINISTRATIVE PENALTY NOTICE OF VIOLATION**  
(Contra Costa County Ordinance Code, § 14-12.006)

March 21, 2024

**RODRIGUEZ BRENDA VERA**  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

**SITE:** 0 HIGHWAY 4, RODEO, CA  
**APN:** 358040013  
**REF:** BIRG20-00435

Our records indicate that you are the responsible party of record of the above-referenced property.

An inspection of the property was conducted on December 22, 2023, and the following violation(s) noted:

1. On December 22, 2023, Department staff observed an illegal contractor's yard being operated on the property. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of Zoning Ordinance; 82-2.002. Land use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District; 84-42.402 and 84-42.404 Contractor Yard Defined; 82-4.221.
2. On December 22, 2023, Department staff observed shipping containers, a construction trailer, a travel trailer in addition to vehicles being stored on the property in an A-4 zoning district. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of the Zoning Ordinance; 82-2.002. Land Use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District 84-42.402 and 84-42-404 Land Use Enforcement: 82-2.006.

To correct this violation, you must:

1. Discontinue the use and/or remove the illegal contractor's yard being operated on the property within **thirty (30) days** of this notification.

2. Discontinue the use and/or remove the shipping containers, construction trailer, travel trailer, and the vehicles from the property OR submit a completed application and obtain the necessary permit(s) from the Community Development Division for review and consideration, to allow the storage of the shipping containers, construction trailer, the travel trailer, and the vehicles **thirty (30) days** of this notification.

This violation must be abated within **thirty (30) days** from March 21, 2024.

If the violation is not abated within **thirty (30) days** from March 21, 2024, you may receive a Notice of Fine and be subject to an administrative fine of \$100 for the first day, \$200 for the second day, and \$500 for each subsequent day. Therefore, non-compliance could result in total fines of \$ 14,300.00 on top of any other fines already assessed.

Additionally, these listed violations are also in violation of the established Land Conservation Contract No. 2-73 (see attached contract). Pursuant to Section 13 of this contract, the violations listed in this letter may constitute a breach of contract, which may impose further penalties such as a fine equal to one hundred percent (100%) of the equalized assessed value of the real property.

No fine will be incurred if the violation is abated within **thirty (30) days** from March 21, 2024, or the owner files a valid development permit application with the Community Development Division within **thirty (30) days** from March 21, 2024 that, if granted, is capable of remedying the violation, and the owner is diligent in pursuing the application.

Before the above-referenced **thirty (30) day** period expires, you may submit in writing to the Deputy Director, Building Inspection Division, 30 Muir Road, Martinez, CA 94553, any information, extenuating circumstance, or dispute in the determination of the existence of a violation or the amount of the fine to be imposed. If the Deputy Director, or designee, determines that an effort is being made to correct the violation(s), he or she may grant an additional period of time for correction of the violation(s). However, if an additional period of time is granted to correct the violation(s), you may be subject to additional fines not to exceed \$500 for each day the violation(s) continues to exist.

Failure to comply with this notice may result in, but is not limited to, any or all of the following actions:

1. Transmittal of Notice of Fine.
2. Recordation of Notice of Fine with the Contra Costa County Recorder.
3. Declaration of lien recorded against the property.
4. Other actions for enforcement of a civil judgment.

Prior to making a submittal to the Community Development Division to initiate a potential remedy to the cited violation, the owner is encouraged to make an appointment with Sean Tully of the Community Development Division, or his designee at (925) 655-2878, to learn of the Department's requirements.

**Administrative Penalty Notice of Violation**

RODRIGUEZ BRENDA VERA

March 21, 2024

Page 3

Thank you for your attention to this matter. Please be advised that this notice only addresses violations of Title 8 of the County Ordinance Code. You may be required to obtain other permits in order to comply with other portions of the County Ordinance Code.

A handwritten signature in black ink, appearing to be 'Bill Lovan', written over a horizontal line.

Bill Lovan

Building Inspector/Code Enforcement Officer

(925) 655-3044

William.Lovan@dcd.cccounty.us



**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**ADMINISTRATIVE PENALTY NOTICE OF FINE**  
(Contra Costa County Ordinance Code, § 14-12.006)

June 11, 2024

**RODRIGUEZ BRENDA VERA**  
2611 MARKET AVE  
SAN PABLO, CA 94806-4543

**SITE:** 0 HIGHWAY 4, RODEO, CA  
**APN:** 358040013  
**REF:** BIRG20-00435

Our records indicate that you are the responsible party of record of the above-referenced property. An inspection of the property was conducted December 22, 2023 and the following violation(s) noted:

1. An illegal contractor's yard being operated on the property. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of Zoning Ordinance; 82-2.002. Land use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District; 84-42.402 and 84-42.404 Contractor Yard Defined; 82-4.221.
2. Shipping containers, a construction trailer, a travel trailer in addition to vehicles being stored on the property in an A-4 zoning district. Accordingly, this is violation of Contra Costa County Ordinance 82 & 84. Adoption of the Zoning Ordinance; 82-2.002. Land Use Enforcement; 82-2.006. Uses permitted in a A-4 Zoning District 84-42.402 and 84-42.404. Land Use Enforcement; 82-2.006.

In the Notice of Violation dated March 21, 2024, you were advised of the options available to correct the violation on your property and the consequences of non-compliance.

Because the violation(s) have not been corrected, the Director has imposed on you a fine in the amount of \$14,300.00.

Payment shall be sent to Contra Costa County, Department of Conservation and Development, Community Development Division, 30 Muir Road, Martinez, CA 94553 **within thirty (30) days of the date of this notification.** The administrative penalty is a personal obligation, and failure to pay the penalty may result in the amount being made a lien and/or special assessment against your property, and other legal action may be taken to collect the penalty. If a judicial action is required to collect the penalty, the County will seek to recover its attorney fees and cost from you.

Additionally, these listed violations are also in violation of the established Land Conservation Contract No. 2-73 (see attached contract). Pursuant to Section 13 of this contract, the violations listed in this letter may constitute a breach of contract, which may impose further penalties such as a fine equal to one hundred percent (100%) of the equalized assessed value of the real property.

### **RIGHT TO APPEAL**

You may appeal this fine by filing a written appeal with the Contra Costa County, Department of Conservation and Development, Community Development Division at 30 Muir Road, Martinez, CA 94553, within 15 calendar days of the date of mailing of this notice. The written appeal must contain:

1. A brief statement setting forth the interest you have in the matter relating to the imposition of the penalty.
2. A brief statement of the material facts you claim support the contention that no fine should be imposed or that a fine of a different amount is warranted; and
3. An address at which you agree that notice of any additional proceedings or an order relating to imposition of the fine may be received by first class mail.

If you file an appeal, the appeal hearing will be set no sooner than 20 days and no later than 45 days following the service date of the notice of appeal hearing. Notice of the appeal hearing will be mailed at least 12 calendar days before the date set for the hearing. Failure to appear will cause this notice to become a final order. If you fail to request an appeal, this notice shall be final. Government Code section 53069.4 authorizes judicial review of a final administrative order.

The Director may record a copy of this Notice of Fine with the Contra Costa County Recorder.

Department of Conservation and Development  
Contra Costa County



Jennifer Cruz  
Principal Planner  
Community Development Division

**Attachment**





February 8, 2024



February 8, 2024







February 8, 2024





February 8, 2024





February 8, 2024





February 8, 2024