

Board of Supervisors Agenda Item Report

Submitting Department: Board of Supervisors

Meeting Date: October 26, 2021

SUBJECT

Code Enforcement: Discussion and possible action relative to an Administrative Abatement Hearing regarding a violation of an illegal timber operation in a R1 district and the decision to either adopt the Administrative Abatement Hearing Board's Findings and Recommendation without further notice or hearing or setting aside the matter and scheduling a future de novo hearing before the Board of Supervisors. The subject property is located at 24395 Shake Ridge Road, Volcano-APN 023-580-006-000)

Recommendation:

Pleasure of the Board

4/5 vote required:

No

Distribution Instructions:

Code Enforcement

ATTACHMENTS

- [Administratiave Abatement Hearing.pdf](#)



CODE ENFORCEMENT
COUNTY ADMINISTRATION CENTER

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6565

Administration Abatement Hearing MEMO

To: Amador County Board of Supervisors

From: Michelle Gallaher, Code Enforcement Officer *MG*

RE: Assessor's Parcel No. 023-580-006-000

Address: 24395 Shake Ridge Road, Volcano, CA 95689; Case P21-34

Date: October 13, 2021

On September 23, 2021, an Administrative Abatement Hearing was held regarding the violation of an illegal timber operation in a R1 district on the above reference parcel. The Findings and Recommendation regarding Administrative Abatement Action was signed by the Hearing Board.

Pursuant to Amador County Code Section 2.06.100 Administrative abatement of violation (see attached), this matter is coming to you for a decision to either adopt the Hearing Board's Findings and Recommendation without further notice or hearing or setting aside the matter and scheduling a de novo hearing before the Board of Supervisors.

I request to be added to the October 26, 2021 agenda.

The attached materials are for the Abatement Hearing Board's hearing which includes the Findings and Recommendations regarding Administration Abatement Action.

For easier review, the Board Clerk has been provided a copy of the "Exhibit Binder" used during the hearing.

Michelle Gallaher

Code Enforcement Officer
County of Amador
Office: 209-223-6565
Fax: 209-223-6254



CODE ENFORCEMENT
COUNTY ADMINISTRATION CENTER

810 Court Street • Jackson, CA 95642-2132
Telephone: (209) 223-6565

NOTICE OF ABATEMENT REVIEW HEARING

USPS FIRST CLASS MAIL

October 13, 2021

Jay Maki
24395 Shake Ridge Road
Volcano, CA 95689

Affected Property: Assessor's Parcel Number: 023-580-006-000
Address: 24395 Shake Ridge Road, Volcano, CA 95689; Case P21-34

Dear Mr. Maki:

On September 23, 2021, an Administrative Abatement Hearing was held regarding the violation of an illegal timber operation in a R1 district on the above reference parcel. The Findings and Recommendation regarding Administrative Abatement Action was signed by the Hearing Board.

The recommendation will now be forwarded to the Amador County Board of Supervisors for adoption at the Board of Supervisors meeting on October 26, 2021, at 10:30 A.M. The meeting will be held at the Amador County Administration Center, 810 Court Street, Jackson, CA 95642.

If you have any questions regarding the hearing you may reach me at (209)-223-6565 between 8:00 a.m. and 4:30 p.m. (Monday through Friday).

Sincerely,

Michelle Gallaher
Code Enforcement Officer

Administrative Hearing Board

September 23, 2021

At

10:00 A.M.

**Amador County Administration Center
810 Court Street
Jackson, CA 95642**

Property Owner: Jay Maki

**Physical Address: 24395 Shake Ridge Rd,
Volcano, CA 95689**

Assessor's Parcel Number: 023-580-006-000

**BEFORE THE ADMINISTRATIVE ABATEMENT HEARING BOARD COUNTY
OF AMADOR, STATE OF CALIFORNIA**

In the Matter of:)	
)	
Amador County Department of Code Enforcement)	FINDINGS AND
)	RECOMMENDATION
vs.)	REGARDING
)	ADMINISTRATIVE
Jay Maki)	ABATEMENT ACTION
)	(Amador County Code Section
<hr style="width: 40%; margin-left: 0;"/>)	2.06.100)

This matter came on regularly for hearing, in session open to the public, as noticed and scheduled on September 23, 2021, at 10:00 A.M., for administrative abatement hearing pertaining to the existence of Amador County Code violation(s) that have not been corrected and that are subject to abatement on that parcel of real property described as APN 023-580-006-000 located at 24395 Shake Ridge Road, Volcano, California.

Appearances:

For Amador County:
Glenn Spitzer, Deputy County Counsel
Michelle Gallaher, Code Enforcement Officer, Amador County of Amador

Jay Maki:
Jay Maki, Property Owner

Witnesses:

Sworn witnesses for Amador County:
Chuck Beatty, Planning Department
Krista Ruesel, Planner I
Michelle Gallaher, Code Enforcement Officer

Sworn witnesses for Jay Maki:
None

FINDINGS:

1. The parcel of real property on which the County Code violations exist is located at 24395 Shake Ridge Rd, Volcano, (unincorporated area), County of Amador, State of California (APN 023-580-006-000) (hereinafter referred to as “the Subject Property”).
2. The owner of the Subject Property is Jay Maki (hereinafter referred to as “the Landowner”).
3. The Subject Property is zoned R1. Allowable uses of a property in an R1 zone are limited to single-family dwellings, guest houses or home occupations as allowed by a County-issued use permit, and crop or tree farming. Uses not allowed on R1-zoned property include timber cutting operations, and any structure, use, or equipment (such as heavy-duty trucks, tractors, forklifts, and industrial sawmill equipment) that is incidental and necessary to any such use.
4. The Landowner has large milling machines and has been engaging in industrial-scale sawmill operations that create significant amounts of noise and debris. These uses are not allowed in a R1 zone.
5. The Landowner has been operating a home occupation without a permit as required under Section 19.48.125 (Home Occupation Regulations).
6. The Landowner is violating the following home occupation regulations:

19.48.125 (E). There shall be no sale of products other than products which are hand-crafted by the proprietor(s) of the home occupation or which are directly related and incidental to a service provided.

19.48.125 (G). No equipment or process shall be used in such home occupation which creates excessive noise, vibration, glare, fumes, odors or electrical interference which may, in the judgment of the county, be objectionable to nearby residents.

Neither of these home occupation activities is allowed in an R1 zone (*i.e.*, the County does not issue a permit to allow these home occupation activities in an R1 zone under any circumstances).
7. The Planning Department received complaints of the home occupation activities in June 2021.
8. On July 9, 2021, Planning Department and Code Enforcement staff determined that the above-described activities were taking place on the Subject Property.
9. On July 9, 2021, the Planning Department sent a Notice of Violation to the Landowner regarding the above-referenced illegal activities.
10. On July 30, 2021, the Code Enforcement Department sent a Notice of Proposed Abatement of Code Violations by 1st Class Mail. The notice scheduled a final inspection for September 3, 2021 at 10:00 AM.

11. On September 3, 2021, County staff inspected the property and determined that the violations continue to exist.
12. On September 3, 2021, Amador County Code Enforcement sent the Landowner the notice of an administrative abatement hearing to be held on September 23, 2021, at 10:00 A.M. in the Board of Supervisors' Chambers at the County Administration Building located at 810 Court Street, Jackson, California. The letter was sent by USPS 1ST class mail.
13. The Landowner, received notice of, and a meaningful opportunity to be heard at, these administrative abatement-hearing proceedings.
14. As of the date of this hearing, the Subject Property is still in violation of the above-referenced code violations.

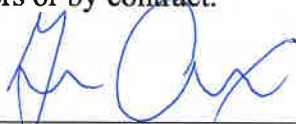
DETERMINATION BY HEARING BOARD:

Based upon the evidence presented at the hearing, including the report and request for recommendations and the findings of fact and law made as a result thereof, the Administrative Abatement Hearing Board recommends that the Board of Supervisors of Amador County:

Order the owner to abate the existing violations on the parcel of real property located at 24395 Shake Ridge Rd, Volcano, California, within 60 days of the issuance of the order, and to provide the County authorization to inspect the premises after abatement of the violation.

The Hearing Board further recommends that, if the owner fails to abate the violations within the 60-day period, or to provide the County authorization to inspect the premises, that the Board of Supervisors abate the violation, at the owner's expense, using county workers or by contract.

Dated: September 23, 2021



Frank Axe, Hearing Officer

Dated: September 23, 2021



Tacy Roten, Hearing Officer

Dated: September 23, 2021



Bryan Middleton, Hearing Officer

ADMINISTRATIVE HEARING

TABLE OF CONTENTS

- I. Relevant Ordinances and Codes**
- II. Witness List**
- III. Chronology of Events**
- IV. Evidence**

RELEVANT ORDINANCES AND CODES

1. California Government Code Section 25845
2. Amador County Code Chapter 2.06 Code Enforcement
 - a. 2.06/100 Administrative abatement violations
3. 19.24.040 (R1 District—Single Family residential district regulations and allowed uses)
4. 19.48.125 (Home Occupation Regulations)
 - a. 19.48.125 (E) & 19.48.125 (G).

California Government Code Section 25845

25845.

- (a) The board of supervisors, by ordinance, may establish a procedure for the abatement of a nuisance. The ordinance shall, at a minimum, provide that the owner of the parcel, and anyone known to the board of supervisors to be in possession of the parcel, be given notice of the abatement **proceeding** and an opportunity to appear before the board of supervisors and be heard prior to the abatement of the nuisance by the county. However, nothing in this section prohibits the summary abatement of a nuisance upon order of the board of supervisors, or upon order of any other county officer authorized by law to summarily abate nuisances, if the board or officer determines that the nuisance constitutes an immediate threat to public health or safety.
- (b) In any action to abate a nuisance, whether by administrative proceedings, judicial proceedings, or summary abatement, the owner of the parcel upon which the nuisance is found to exist shall be liable for all costs of abatement incurred by the county, including, but not limited to, administrative costs, and any and all costs incurred in the physical abatement of the nuisance. Recovery of costs pursuant to this section shall be in addition to and shall not limit any prevailing party's right to recover costs pursuant to Sections 1032 and 1033.5 of the Code of Civil Procedure or any other provision of law.
- (c) A county may, by ordinance, provide for the recovery of attorneys' fees in any action, administrative proceeding, or special proceeding to abate a nuisance. If the ordinance provides for the recovery of attorneys' fees, it shall provide for recovery of attorneys' fees by the prevailing party, rather than limiting recovery of attorneys' fees to the county if it prevails. The ordinance may limit recovery of attorneys' fees by the prevailing party to those individual actions or proceedings in which the county elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorneys' fees. In no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the county in the action or proceeding.
- (d) If the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the cost of the abatement to be specially assessed against the parcel. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment.
- (e) If the board of supervisors specially assesses the cost of the abatement against the parcel, the board also may cause a notice of abatement lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the nuisance was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost.
- (f) However, if the board of supervisors does not cause the recordation of a notice of abatement lien pursuant to subdivision (e), and any real property to which the costs of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or a lien on a bona fide encumbrancer for value has been created and attaches to that property, prior to the date on which the first installment of county taxes would become delinquent, then the cost of abatement shall not result in a lien against that real property but shall be transferred to the unsecured roll for collection.

(g) Recordation of a notice of abatement lien pursuant to subdivision (e) has the same effect as recordation of an abstract of a money judgment recorded pursuant to Article 2 (commencing with Section 697.310) of Chapter 2 of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure. The lien created has the same priority as a judgment lien on real property and continues in effect until released. Upon order of the board of supervisors, or any county officer authorized by the board of supervisors to act on its behalf, an abatement lien created under this section may be released or subordinated in the same manner as a judgment lien on real property may be released or subordinated.

(h) The board of supervisors may delegate the hearing required by subdivision (a), prior to abatement of a public nuisance, to a hearing board designated by the board of supervisors. The hearing board shall make a written recommendation to the board of supervisors. The board of supervisors may adopt the recommendation without further notice of hearing, or may set the matter for a de novo hearing before the board of supervisors.

(i) The board of supervisors may, by ordinance, delegate to a hearing officer appointed pursuant to Section 27720 the powers and duties specified by this section.

(Amended by Stats. 1996, Ch. 718, Sec. 1. Effective January 1, 1997.)

Chapter 2.06
CODE ENFORCEMENT

Section:

2.06.100 Administrative abatement of violations.

2.06.010 Establishment of division.

Administrative abatement of violations.

Whenever the code enforcement officer has knowledge of a violation he/she may provide a notice of proposed abatement to all owners and/or possessors of the premises in the manner set forth in Section 2.06.080 A and B of this chapter.

- A. Such notice of proposed abatement shall state that the code enforcement officer intends to abate the violation at the owner's expense thirty days from the date of the notice and that the owner and possessor each has the right to a prior hearing before the hearing board on the issue of whether or not a violation exists on the premises. A request for such hearing must be made in writing by the owner or possessor and delivered to the code enforcement officer within fifteen days from the date of notice of proposed abatement; and
- B. The hearing shall be conducted in the manner set forth in Section 2.06.080 C; and
- C. In the event a hearing is not requested within the time specified, or if after a hearing a determination is made by the hearing board that one or more violations exist on the property and that such violations have not been corrected, the code enforcement officer shall transmit the hearing board's recommendation to the board of supervisors; and
- D. The board of supervisors may adopt the hearing board's recommendation without further notice or hearing or may set aside the matter for hearing de novo before the board of supervisors; and
- E. If the board of supervisors adopts the hearing board's recommendation, the board of supervisors shall give notice thereof to the owner and possessor and proceed to abate the violation at the owner's expense; and
- F. If the board of supervisors sets the matter for a hearing de novo it shall provide notice thereof in accordance with the provisions of Section 2.06.080 A and B of this chapter and conduct the hearing pursuant to Section 2.06.080 C of this chapter; and

G. If the board of supervisors finds that the violation exists the board of supervisors shall order the violation to be abated by the owner at the owner's expense. If the owner fails to obey the abatement order, the board of supervisors may abate the violation using county workers or by contract all at the expense of the owner; and

H. The owner shall be liable for all costs of abatement incurred by the county including but not limited to administrative and investigative costs and any and all costs incurred in the physical abatement of the violation; and

I. In any action, proceeding, or administrative proceeding to abate a violation the county or the alleged violator, whoever is the prevailing party, shall be entitled to the amount of reasonable attorney's fees actually incurred in the action or proceeding; and

J. If the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the costs of the assessment to be specially assessed against the premises. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment; and

K. If the board of supervisors specifically assesses the cost of abatement against the premises, the board also may cause a notice of abatement lien to be recorded. This notice of abatement lien shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the violation was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost. (Ord. 1474 §2(part), 1999).

➤ Amador County Code Section 19.24.040: District Regulations- Generally.

District	Subject to the provisions of Chapter 19.48 , none but the following uses , or uses which in the opinion of the Planning Commission are similar in nature, will be allowed:	Lot Area Per Residential Unit (Sq. Ft.)
R-1	<ol style="list-style-type: none"> 1. Single-family dwellings 2. Home occupations 3. Guest houses, servants' quarters 4. Crop and tree farming 	6,000
R-2	<ol style="list-style-type: none"> 1. Two-, three- and four-family dwellings 2. Rooming and boarding houses, accommodating not more than three guests 	1,500
R-3	<ol style="list-style-type: none"> 1. Multiple-family dwellings 2. Dwelling groups 	1,000

➤ 19.48.125 (Home Occupation Regulations)

- a. 19.48.125 (E). There shall be no sale of products other than products which are hand-crafted by the proprietor(s) of the home occupation or which are directly related and incidental to a service provided.
- b. 19.48.125 (G). No equipment or process shall be used in such home occupation which creates excessive noise, vibration, glare, fumes, odors or electrical interference which may, in the judgment of the county, be objectionable to nearby residents.

Witness List

Sworn witnesses for Amador County:

Chuck Beatty, Planning Department

Krista Ruesel, Planner I

Michelle Gallaher, Code Enforcement Officer

ADMINISTRATIVE HEARING BOARD

CHRONOLOGY OF EVENTS

15. Initial complaint filed with Planning Department on July 27, 2018 for industrial-scale sawmill operating on the residential-zoned property (R1/AT) with storage of large heavy equipment and burning of material. Case was brought before the hearing board and was determined if he keeps the saw mill out of view (behind garage, covered and fenced) he can have it stored on the property. At the time he was claiming he was using it for hobby even though during an inspection with Code Enforcement he admitted to using it for work since he is a general contractor. Case was closed upon verification it was stored *August 20, 2020.
16. Another complaint was filed on June 23, 2021 with Ruslan in Planning. Documentation was provided showing Mario's Tree Service dumping 50+ logs on property. Maki's operation has grown in scope than previously. Complainant will provide more documentation for case (Exhibit 2).
17. June 29, 2021, more evidence was submitted to Planning Department (Exhibit 3).
18. On July 7, 2021, Krista in Planning spoke with complainant regarding existing violations on site. The saw mill operation has accelerated and there are piles of debris on property. Complainant was informed to contact BOS (Oneto's Office) to address it as a nuisance violation and fire hazard.
19. July 9, 2021, a drive by inspection by the Planning Department and Code Enforcement determine a violation exists (Exhibit 4). We noticed multiple logs, piles of wood scraps from the saw mill, and he had new lumber stacked all around the property. Planning checked to see if any permits were recently pulled. No permits have been issued since 2008.
20. A Notice of Violation was sent by Planning Department July 9, 2021, to property owner Mr. Maki, regarding maintaining a timber cutting operation at the subject property which is zoned R1- Residential and is not an allowable use of property in a R1 zone. The letter reminded Mr. Maki as stated before in the first case to cease all operations and remove all associated equipment from the property within ten days of the notice or the matter would be turned over to Code Enforcement for further action. Letter mailed first class and certified mail 7017 3380 0000 4452 9621 (Exhibit 5).
21. The Planning Department received the signed certified mailing receipts (Exhibit 6).
22. July 23, 2021, more evidence was submitted to Planning Department (Exhibit 7).
23. On July 29, 2021, Krista spoke with another complainant that there is more activity on the property. Since there has been no effort from the property owner Jay Maki to cease operations and to call the Planning Department to discuss again his options; the case is referred to Code

Enforcement.

24. On July 30, 2021, case was referred to Code Enforcement for further action (Exhibit 8). In addition, more evidence was submitted to Planning Department (Exhibit 9).
25. Notice of Proposed Abatement of Code Violations was sent by 1st Class Mail by Code Enforcement on July 30, 2021. Final inspection is scheduled for September 3, 2021 at 10:00 AM (Exhibit 10). Notice was also posted on property on August 3, 2021 (Photos, Exhibit 11)
26. The Planning Department had received an email update from complainant on August 6, 2021, stating he has large equipment and recently bought a large skid steer with a log grabber. He has been receiving deliveries from Mario's Tree Services with the help from Supervisor Oneto and there have been random people with trailers coming in and picking up the finished lumber. Email was forwarded to Code Enforcement. A follow up email was sent to ask about the activity and the accusations. The complainant brother called Supervisor Oneto to file the complaint and stated he was partially responsible for Mario's dropping logs off at his property. Photos and videos have been taken of the activity. Since they contact Oneto's office he has been trying to cover up what is going on by hiding equipment in the back, cleaning up the leftovers from the milling and moving the finished lumber around. Case photos and emails were sent to Code Enforcement for evidence (Exhibit 12).
27. On August 18, 2021, a note was received by Amador County Code Enforcement Department from Mr. Maki requesting an Abatement Hearing dated August 12, 2021 (Exhibit 13).
28. On September 3, 2021, Code Enforcement and Krista from Planning met with Mr. Maki. Property did show progress in cleanup of debris. Large Equipment, logs, wood cuttings, and new wood was still in view (Exhibit 14). Mr. Maki says he is using it as a hobby, but I ask what is he doing on his property and he said nothing. Asked why are people coming to pick up the wood and he stated I am not selling the wood. He is a general contractor and he uses it for whatever he needs. I explain to him when he's using it for onsite jobs that is a part of his business that he is running a commercial business off his parcel which is zoned for residential use only. He asked where does he go with all of it and I stated to a commercial property where it is prohibited. He started to state it was a hobby again and to check the hours on the mill. I asked what he is doing with the wood besides using it for his business. He stated making bird and dog houses. I asked if he was making any money off of them and he stated sometimes. The case is being forwarded to the Hearing Board for further enforcement action.
29. On September 3, 2021, Amador County Code Enforcement sent Property Owner(s) notice of an administrative abatement hearing to be held on September 23, 2021, at 10:00 A.M. in the Board of Supervisors' Chambers at the County Administration Building located at 810 Court Street, Jackson, California. Letter was sent by USPS 1ST CLASS MAIL (Exhibit 15).

EVIDENCE:

Exhibits admitted into evidence for the County of Amador:

- EXHIBIT 1: Amador County Property Information
- a. Property Detail
 - b. Grant Deed
 - c. GIS Map
- EXHIBIT 2: 3 page email from complainant of documentation and photos from June 23, 2021
- EXHIBIT 3: 3 page email from complainant of documentation and photos from June 29, 2021
- EXHIBIT 4: 5 pages of Planning / Code Enforcement Photos from April 5, 2019
- EXHIBIT 5: July 12, 2021, NOV Letter from Planning Department to Property Owner first class and certified mail.
- EXHIBIT 6: Certified Receipt signed by Mr. Maki and was received by Planning Department on July 21, 2021
- EXHIBIT 7: 2 page email from complainant of documentation and photos from July 23, 2021
- EXHIBIT 8: July 30, 2021, Planning Department Code Enforcement Referral Form sent to Code Enforcement
- EXHIBIT 9: 2 page email from complainant of documentation and photos from July 30, 2021
- EXHIBIT 10: Notice of Proposed Abatement of Code Violations sent to owner Mr. Maki via first class and posted on property.
- EXHIBIT 11: 2 pages of photos of the Notice of Proposed Abatement of Code Violations posted on property August 3, 2021.
- EXHIBIT 12: 5 page email from complainant of documentation and photos from August 6, 2021.
- EXHIBIT 13: Code Enforcement received request for appeal hearing dated August 12, 2021 and received in office August 18, 2021.

EXHIBIT 14: 4 pages of Code Enforcement Photos from September 3, 2021.

EXHIBIT 15: Administrative Abatement Hearing Notice sent first class mail to property owner and to be held on September 23, 2021 at 10:00 A.M.

EXHIBIT 1

Property Detail

Amador, CA JAMES B. ROONEY, ASSESSOR

Parcel # (APN): **023-580-006-000** Use Description: **RESIDENTIAL**

Parcel Status: **ACTIVE**

Owner Name: **MAKI JAY W**

Mailing Address: **24395 SHAKE RIDGE RD VOLCANO CA 95689-9712**

Situs Address: **24395 SHAKE RIDGE RD VOLCANO CA 95689-9712 R050**

Legal

Description: **LOT6**

ASSESSMENT

Total Value: **\$424,394**

Use Code: **RI**

Zoning:

Land Value: **\$63,631**

Tax Rate Area: **052088**

Census Tract: **2.00/3**

Impr Value: **\$360,763**

Year Assd: **2018**

Improve Type:

Other Value:

Property Tax:

Price/SqFt: **\$197.63**

% Improved **85%**

Delinquent Yr

Exempt Amt: **\$7,000**

HO Exempt?: **Y**

SALES HISTORY

	<u>Sale 1</u>	<u>Sale 2</u>	<u>Sale 3</u>	<u>Transfer</u>
Recording Date:	02/21/2003			02/21/2003
Recorded Doc #:	2003R002692			2003R002692
Recorded Doc Type:	GRANT DEED			
Transfer Amount:	\$50,000			
Sale 1 Seller (Grantor):	KLEITSCH HENRY N & SHIRL			
1st Trst Dd Amt:		Code1:	2nd Trst Dd Amt:	Code2:

PROPERTY CHARACTERISTICS

Lot Acres: 1.430	Year Built: 2003	Fireplace:
Lot SqFt: 62,290	Effective Yr: 2004	A/C:
Bldg/Liv Area: 253		Heating:
Units:	Total Rooms:	Pool:
Buildings:	Bedrooms:	
Stories:	Baths (Full):	Park Type:
Style:	Baths (Half):	Spaces:
Construct:		Site Infnce:
Quality:	Garage SqFt:	
Building Class:		Timber Preserve:
Condition: GOOD		Ag Preserve:
Other Rooms:		

*** The information provided here is deemed reliable, but is not guaranteed.



- 📍 Cities and Communities
- ▭ Administrative Boundaries
- ▭ City Limits
- ▭ Amador County Boundary
- Roads**
 - One Way Road
 - Primary Road
 - - Secondary Road
 - - County Route
 - State Highway
 - Unimproved Road
- ▭ Parcels



1" = 102 ft

Aerial photography, if displayed,
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Notes

The County of Amador assumes no responsibility arising from use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT WARRANTY OF ANY KIND, expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Do not make any business decisions or take any action before validating your decision with the appropriate County Office.



Amador County GIS Viewer
 Amador County Information Technology Dept.
 810 Court St, Jackson CA 95642
 August 31, 2018

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
JAY W MAKI
5133 Von Way
Carmichael, CA 95608



Amador County Recorder
Sheldon D. Johnson
DOC- 2003-0002692-00

Acct 2-First American Title Co
Friday, FEB 21, 2003 11:15:00
Ttl Pd \$74.00 Nbr-0000052567
KIM/R1/1-2

Space Above This Line for Recorder's Use Only

A.P.N.: **023-580-006**

File No **503428AMA (KB)**

GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$55; CITY TRANSFER TAX \$0.00;
SURVEY MONUMENT FEE \$10.00

- computed on the consideration or full value of property conveyed, OR
 computed on the consideration or full value less value of liens and/or encumbrances existing at time of sale,
 unincorporated area; [] City of , and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, **HENRY N. KLEITSCH and SHIRLEY L. KLEITSCH, husband and wife**

hereby GRANTS to **JAY W MAKI, an unmarried man**

the following described property in the **Unincorporated Area** of , County of **AMADOR**, State of **California**;

LOT 6 OF "PANORAMA ESTATES", A SHOWN ON THE OFFICIAL MAP FILED IN THE OFFICE OF THE COUNTY RECORDER ON FEBRUARY 29, 1970 IN BOOK OF SUBDIVISION MAPS, PAGE 5.

Dated: 02/10/2003


HENRY N. KLEITSCH


SHIRLEY L. KLEITSCH

Mail Tax Statements To: **SAME AS ABOVE**



EXHIBIT 2

Planning Department planning@amadorgov.org

Attn: Ruslan Bratan & Krista Ruesel. RE : 24395 Shakeridge

Wed, Jun 23, 2021 at 8:13 PM

To: planning@amadorgov.org

Here are pictures. Thank you for your help.

Sincerely,

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone

2 attachments



20210623_195458.jpg
1609K



20210623_200633.jpg
1333K







EXHIBIT 3

Planning Departm.

24395 shakeridge rd

Tue, Jun 29, 2021 at 9:28 PM,

To: planning@amadorgov.org

Here are a few more. Seems he is selling trailer loads daily. Mario's tree service has dropped off at least 2 loads of logs last week.

Thank you,

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone



20210629_212239.jpg
1516K

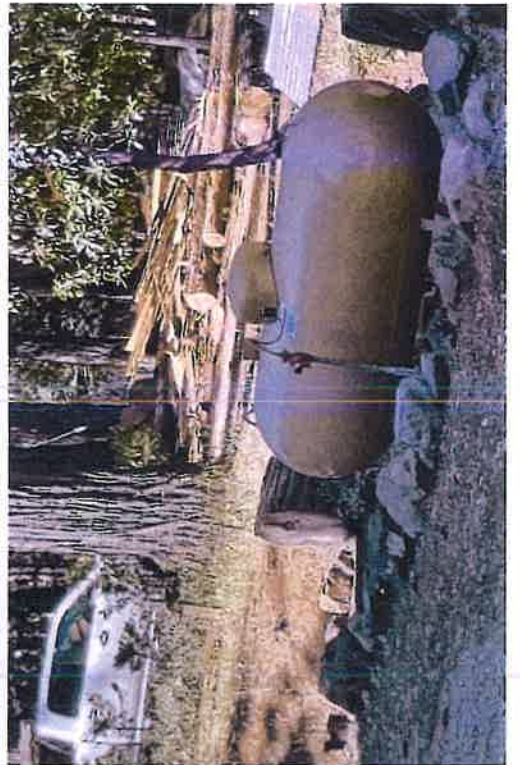
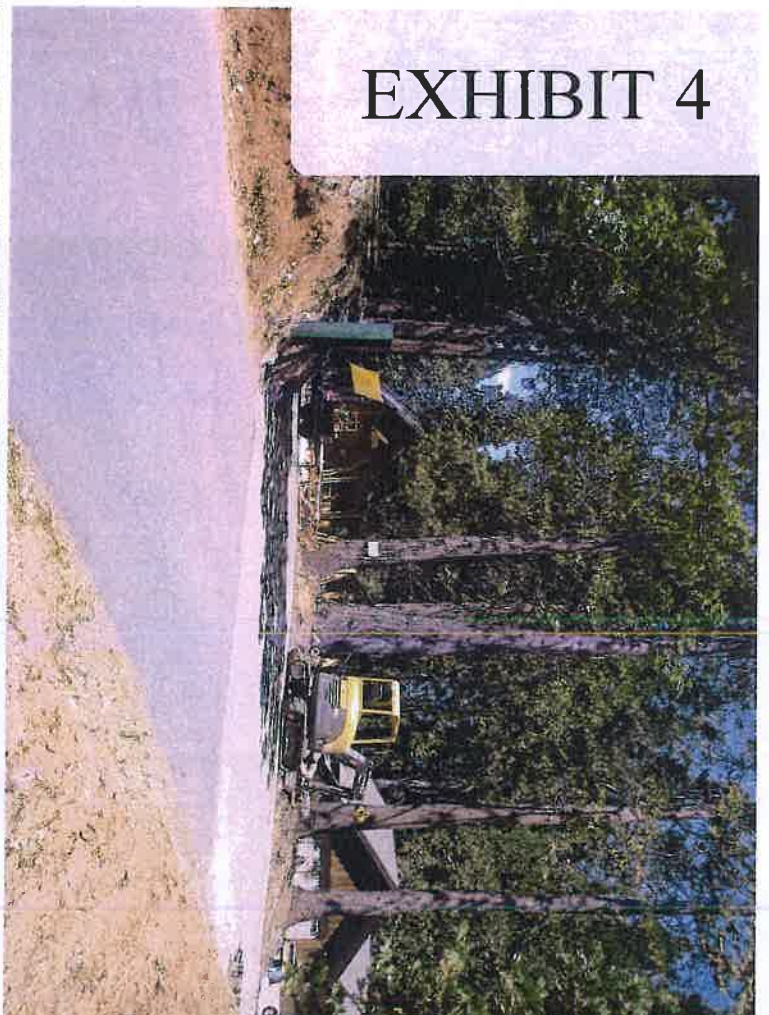
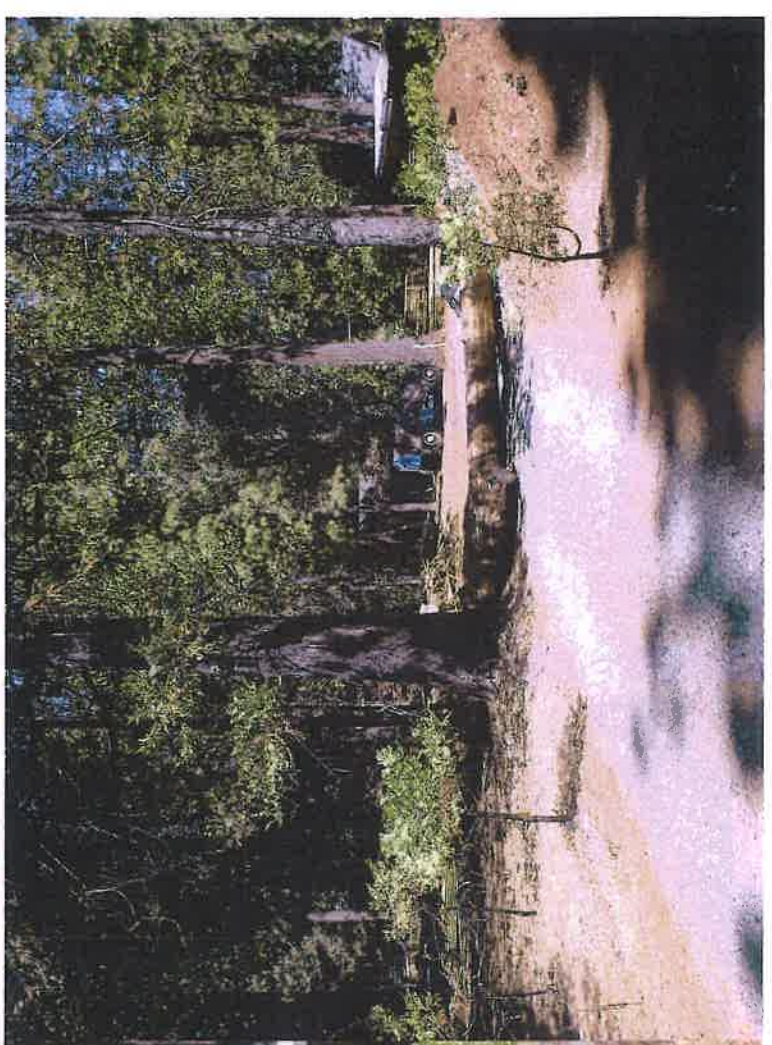




EXHIBIT 4













AMADOR COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

PHONE: (209) 223-6380
 FAX: (209) 267-5002
 WEBSITE: www.amadorgov.org
 E-MAIL: planning@amadorgov.org

COUNTY ADMINISTRATION CENTER • 810 COURT STREET • JACKSON, CA 95642-2132

NOTICE OF VIOLATION

Date Issued: July 12, 2021
Property Owner: Jay Maki
Property Address: 24395 Shake Ridge Rd.
 Volcano, CA 95689

APN(S): 023-580-006
Sent First Class & Certified #:
 7017 3380 0000 4452 9621

Dear Property Owner(s) and/or Tenant(s):

This Notice of Violation (NOV) is issued for maintaining a commercial timber cutting operation at the above described property which is zoned "R1 - Residential." This is a violation of Section 19.24.040 of the Amador County Code (see reverse side). Allowable uses of a property in an R1 zone are limited to single-family dwellings, guest houses or home occupations as allowed by a County-issued use permit, and crop or tree farming. Uses not allowed on R1-zoned property include commercial timber cutting operations, and any structure, use, or equipment (such as heavy-duty trucks, tractors, forklifts, and industrial sawmill equipment) that is incidental and necessary to any such use. This is a repeat offense following previous administrative action and abatement and necessary to place regarding this property. You are aware of the allowed uses of your property allowed by-right per the R1 Zoning of the property. The current activity is not consistent with the allowable uses which had been previously expressed to you by Planning Department, Code Enforcement, Abatement Board, and Board of Supervisors in the past.

You are hereby ordered to correct the violation, cease operation of the timber cutting operation on your property, and remove all associated equipment from your property. This violation must be corrected within **ten (10) days** of receipt of this notice.

Code Section 19.24.040

District	Subject to the provisions of Chapter 19.48, none but the following uses, in nature, will be allowed:		Lot Area Per Residential Unit (Sq. Ft.)
R-1	1. Single-family dwellings 2. Home occupations 3. Guest houses, servants' quarters 4. Crop and tree farming		6,000

A final inspection has been scheduled for the above referenced property for **Friday, July 30, 2021**. The property owner does not need to be present however the property must be visible/accessible to be able to verify compliance. If the County is unable to verify that the violation(s) have ceased, the property will be found in noncompliance. The property owner wishes to be present at the final inspection, please contact the Amador County Planning Department to schedule a date and time. If you have any questions or concerns, please contact this department at 209-223-6380. **If the violation remains or the property is found in noncompliance thereafter, the matter will be forwarded to the Code Enforcement Division for further action as allowed by law which may include abatement of the nuisance at your expense, accrued staff time, and associated legal costs.**

Sincerely,

Krista Ruesel, Planner
 Planner | Amador County Planning Department
 cc: Michelle Gallaher - Code Enforcement Office

SENDER - COMPLETE THIS SECTION

Complete items 1, 2, and 3.
 Print your name and address on the reverse so that we can return the card to you.
 Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Jay Maki
 24395 Shake Ridge Rd.
 Volcano, CA 95689

2. Article Number (transfer from service label)
 7017 3380 0000 4452 9621
 PS Form 3811, July 2016 PSN 7530-02-000-9003

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail Restricted Delivery
 Collect on Delivery Restricted Delivery
 Collect on Delivery Restricted Delivery (over \$500)
 Insured Mail Restricted Delivery
 Insured Mail Restricted Delivery (over \$500)
 Priority Mail Express®
 Registered Mail
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

A. Signature Agent
 B. Received by (Printed Name) Address
 C. Date of Delivery No
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

Official Mail Use

Verified Mail File
 Certified Mail
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Insured Mail
 Insured Mail Restricted Delivery
 Registered Mail
 Registered Mail Restricted Delivery
 Signature Confirmation
 Signature Confirmation Restricted Delivery
 Return Receipt for Merchandise

Postmark
 Time

Jay Maki
 24395 Shake Ridge Rd.
 Volcano, CA 95689

SENDER, COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front, if space permits.

1. Article Addressed to:

Jay Maki
24395 Shake Ridge Rd.
Volcano, CA 95689



9590 8402 3741 7335 3065 92

2. Article Number (register from service show)

7017 3380 0000 4452 9621

PS Form 3811, July 2015 PSN 750-02-000-9063

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
 Agent Addressee
- B. Received by (Printed Name)
JOAN S-19
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

- 3. Service Type
 - Priority Mail Express®
 - Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Registered Mail
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



9590 8402 3741 7335 3065 92

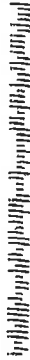
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

RECEIVED
JUL 21 2021
AMADOR COUNTY
PLANNING DEPARTMENT

* Sender: Please print your name, address, and ZIP+4® in this box*

AMADOR COUNTY
PLANNING DEPARTMENT
810 COURT STREET
JACKSON, CA 95642-2132





Attn: Ruslan Bratan & Krista Ruesel, Re: 24395 Shakeridge rd

Fri, Jul 23, 2021 at 7:06 AM

To: planning@amadorgov.org
Cc: boardofsupervisors@amadorgov.org

Hello,

It seems our supervisor Brian Oneto was partially responsible for Mario's Tree Service getting in contact with Jay Maki.

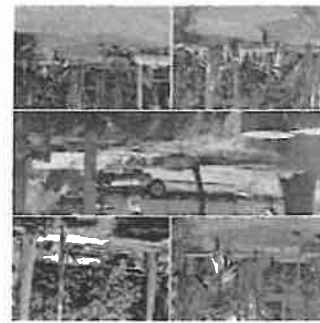
I hope this operation will cease immediately!

It has gone on far too long.

Thank you for your help.

Sincerely,

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone



20210722_173241.jpg
1226K



Code Enforcement Referral

Case Number: **P21-34**

July 30, 2021

Property Owner:

Jay Maki

Address of Violation:

24395 Shakeridge Rd.

Volcano, CA 95689

APN: 023-580-006

Phone number: 209.296.6284

Mailing Address:

See Violation address

VIOLATION: 19.24.040 (R1 District—Single Family residential district regulations and allowed uses),

RESOLUTION: Property owner must cease any use of the property inconsistent with the R1 Zoning Designation and all unpermitted commercial activity. Heavy equipment must not be visible to neighbors and activities on property must not be inconsistent with permitted and allowed uses of a residential property.

DATE OF ACTION

STATUS

June 21,
2021

Complaint received. Violation was verified by Planning

July 9, 2021

Photos documented violation showing new and expanded operations. Verified with Building Department that property owner had not applied for or granted (meaning no new construction on-site warranting the new construction materials present). Last permit was granted in 2008. NOV Sent.

July 23,
2021

Follow-up photos document that property is still in noncompliance as commercial operations still taking place. No effort by property owner to contact Planning despite past correspondence (and Code violation and ensuing abatement for the same violation). NOV cert of receipt has been received.

July 30,
2021

Forwarding to CE.

Referral Approved By:

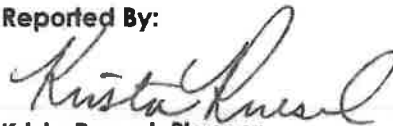


Chuck Beatty, Planning Director

Office: (209)223-6522

Email: planning@amadorgov.org

Reported By:



Krista Ruesel, Planner

Office: (209)223-6380

Email: kruesel@amadorgov.org

County Code Section §19.08.355 Junk.

"Junk" means any wornout, castoff, or discarded fabricated articles or materials which are stored outside of a building, which are no longer usable for the purpose on which they were made and which are ready for destruction or are being stored or collected for salvage or conversion to some other use. (Ord. 1135 §2, 1987).

§19.08.360 Junkyard.

"Junkyard" means the outdoor storage or collection of more than two hundred square feet of junk on any area of any one lot or parcel whether for commercial or private use. Vehicle dismantling or wrecking operations shall be considered junkyards for the purposes of this section. Storage of more than two hundred square feet of scrap metals or other scrap materials shall be considered a junkyard. (Ord. 1135 §4, 1987).

§19.48.130.A Junk and junkyard regulations.

It is unlawful for any person to establish a junkyard as defined in Section 19.08.360 of this code unless otherwise permitted in this code. Junkyards established contrary to this section shall be declared a public nuisance. (Ord. 1135 §5, 1987).



Attn: Krista Ruesel & Ruslan Bratan Re.: 24395 Shakeridge rd

Fri, Jul 30, 2021 at 9:10 AM

To: planning@amadorgov.org

Right after we contacted Brian Oneto I overheard someone at Jay Maki's home use Onetos name and pointed around to all the slash piles, then within a day or so he instantly removed the slash piles and a few smaller logs and had people picking up finished lumber on trailers. This is what happened last time and he told them he was only doing it occasionally....and it has still continued for many years.

He still has many bigger logs to mill on his property from Mario's Tree Service.

He has definitely not ceased his operation as of today.

Thank you for getting information to code enforcement regarding this case.

Here are some pictures of his "clean up ".

Thank you again.

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone



20210729_190333.jpg
1131K





CODE ENFORCEMENT COUNTY ADMINISTRATION CENTER

810 Court ...

Telephone: (209) ...

NOTICE OF PROPOSED ABATEMENT OF CODE VIOLATIONS

USPS 1st CLASS MAIL
POSTED ON PROPERTY

Date: July 30, 2021

To: Property Owner: Jay Maki
24395 Shake Ridge Road, Volcano, CA 95689

Affected Property: Assessor's Parcel Number: 023-580-006-000
Address: 24395 Shake Ridge Road, Volcano, CA 95689; Case C18-63

From: Michelle Gallaher, Code Enforcement Officer

YOU ARE HEREBY NOTIFIED, pursuant to Amador County Code Section 2.06.070 (Authority of Code Enforcement Officer) and 2.06.100 (Administrative abatement of violations), that the undersigned intends to abate the following violation at the owner's expense after September 3, 2021, for the violation of the following code section:

The alleged violation is as follows:

CODE SECTION:

- Amador County Code Section 19.24.040: District Regulations- Generally.

District	Subject to the provisions of Chapter 19.48, none but the following uses , or uses which in the opinion of the Planning Commission are similar in nature, will be allowed:	Lot Area Per Residential Unit (Sq. Ft.)
R-1	<ol style="list-style-type: none"> 1. Single-family dwellings 2. Home occupations 3. Guest houses, servants' quarters 4. Crop and tree farming 	6,000
R-2	<ol style="list-style-type: none"> 1. Two-, three- and four-family dwellings 2. Rooming and boarding houses, accommodating not more than three guests 	1,500
R-3	<ol style="list-style-type: none"> 1. Multiple-family dwellings 	1,000

District	Subject to the provisions of Chapter <u>19.48</u> , none but the following uses , or uses which in the opinion of the Planning Commission are similar in nature, will be allowed:	Lot Area Per Residential Unit (Sq. Ft.)
	2. Dwelling groups	

DESCRIPTION OF VIOLATION(S):

- Industrial scale sawmill operating on a residential-zoned property (R1A/AT) with storage of large heavy equipment.

TO REMEDY THESE VIOLATIONS:

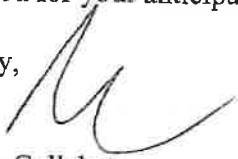
- You are hereby ordered to cease the violation and take action to properly remove the heavy equipment from the residential- zoned property. Uses not allowed on R1-zoned property include timber cutting operations, and any structure, use, or equipment (such as heavy-duty trucks, tractors, forklifts, and industrial sawmill equipment) that is incidental and necessary to any such use.
- **A final inspection is scheduled for September 3, 2021 at 10:00AM.** If the property is found to be in violation or if nobody is present at the inspection to grant me access to the property, the case will go before the Amador County Hearing Board for abatement action.

YOU ARE FURTHER NOTIFIED you have a right to a hearing before the Amador County Hearing Board on the issue of whether or not one or more violations exist. In order to have such a hearing, you must make a written request for hearing and deliver that request to the undersigned within fifteen (15) days from the date of this Notice of Proposed Abatement. If you fail to make a timely request for a hearing in writing, your right to a hearing shall be deemed waived, and the matter will be forwarded to the Hearing Board for a determination and recommendation to the Amador County Board of Supervisors on the alleged violation(s). If the Board of Supervisors determines that a violation exists, the Amador County Board of Supervisors shall give notice thereof to you and may proceed to issue a court order for the violation at your expense including all cost incurred by the County for the administrative and investigating costs.

If you have any questions regarding this matter, you may contact this office at (209) 223-6565 Monday through Friday 8:00 A.M. to 4:30 P.M.

Thank you for your anticipated cooperation in this matter.

Sincerely,



Michelle Gallaher
Code Enforcement Officer

Attached: 2.06.070 Authority of code enforcement officers
2.06.100 Administrative abatement of violations

2.06.070 Authority of code enforcement officers.

Upon receipt of any violation referred to the code enforcement division by an affected department, the code enforcement officer shall evaluate the case, and determine, in conjunction with the county counsel or the district attorney when appropriate, the proper means of eliminating the violation. This may include, without limitation:

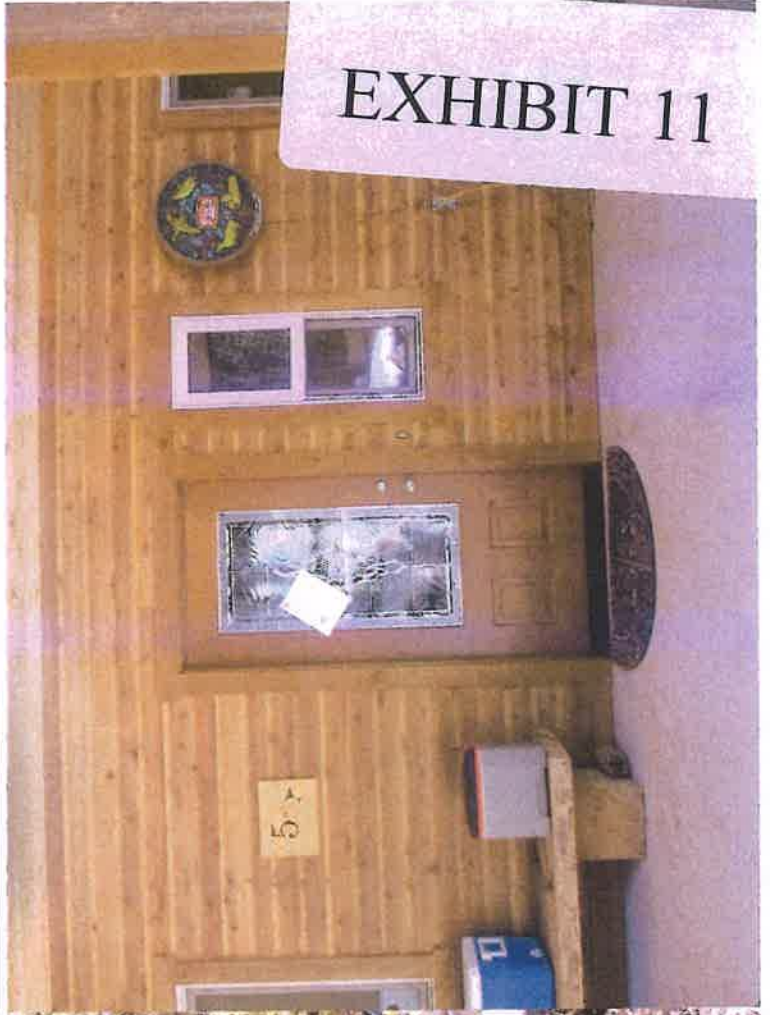
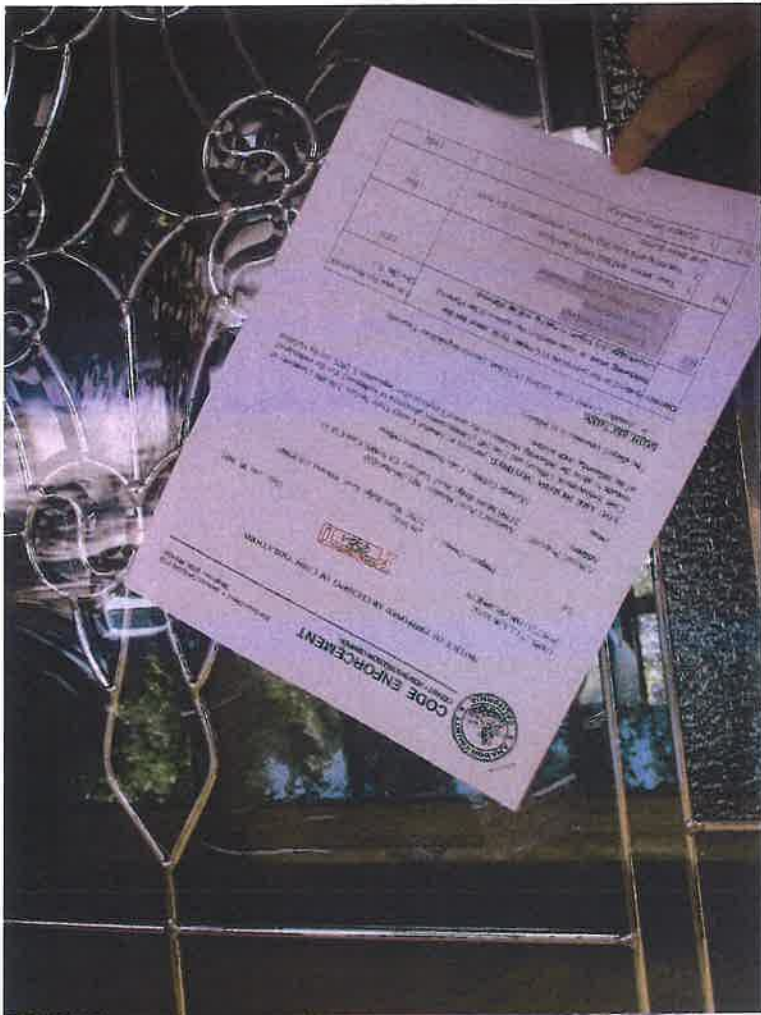
- A. Taking administrative action including the recording of a notice of violation (Section 2.06.080); and
- B. Commencing an administrative abatement proceeding (Section 2.06.090); and
- C. Filing and prosecuting a criminal case or issuing a citation (Section 2.06.110); and
- D. Requesting that the board of supervisors authorize the filing of civil litigation to enjoin or abate the violation; or
- E. Any combination of administrative action, citation, criminal prosecution, and/or civil litigation. After the code enforcement officer has accepted the case, the code enforcement officer and not the affected department shall have the responsibility to enforce the provisions of the state law or any ordinance which have been violated. (Ord. 1474 §2(part), 1999).

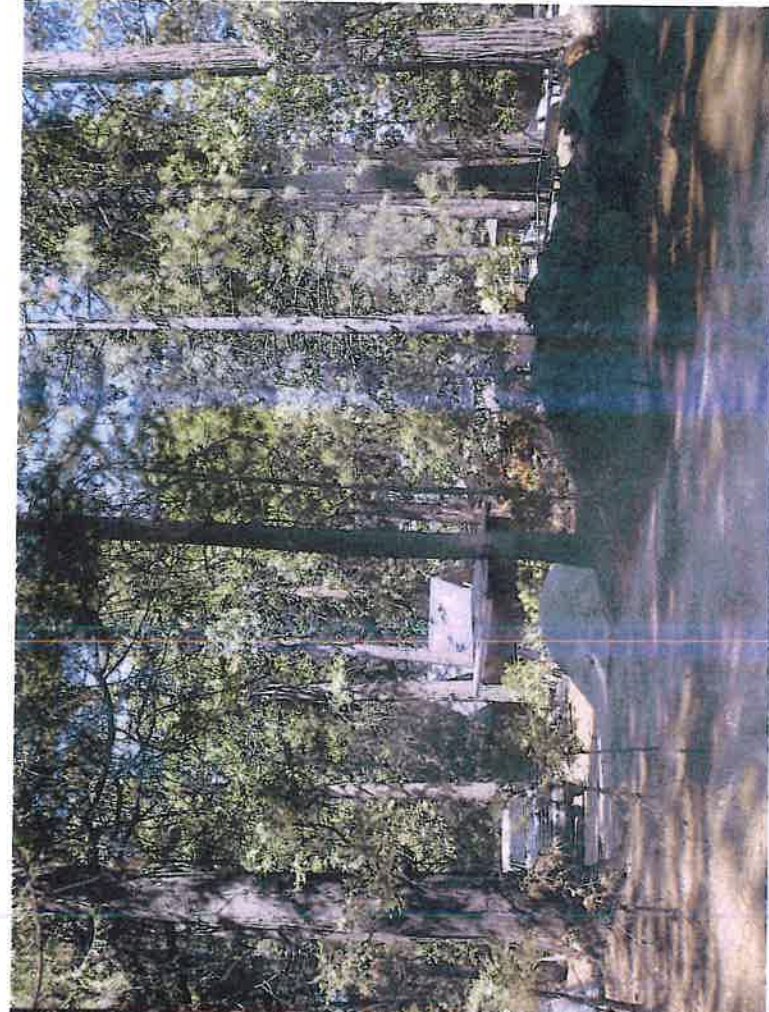
2.06.100 Administrative abatement of violations.

Whenever the code enforcement officer has knowledge of a violation he/she may provide a notice of proposed abatement to all owners and/or possessors of the premises in the manner set forth in Section 2.06.080 A and B of this chapter.

- A. Such notice of proposed abatement shall state that the code enforcement officer intends to abate the violation at the owner's expense thirty days from the date of the notice and that the owner and possessor each has the right to a prior hearing before the hearing board on the issue of whether or not a violation exists on the premises. A request for such hearing must be made in writing by the owner or possessor and delivered to the code enforcement officer within fifteen days from the date of notice of proposed abatement; and
- B. The hearing shall be conducted in the manner set forth in Section 2.06.080 C; and
- C. In the event a hearing is not requested within the time specified, or if after a hearing a determination is made by the hearing board that one or more violations exist on the property and that such violations have not been corrected, the code enforcement officer shall transmit the hearing board's recommendation to the board of supervisors; and
- D. The board of supervisors may adopt the hearing board's recommendation without further notice or hearing or may set aside the matter for hearing de novo before the board of supervisors; and
- E. If the board of supervisors adopts the hearing board's recommendation, the board of supervisors shall give notice thereof to the owner and possessor and proceed to abate the violation at the owner's expense; and

- F. If the board of supervisors sets the matter for a hearing de novo it shall provide notice thereof in accordance with the provisions of Section 2.06.080 A and B of this chapter and conduct the hearing pursuant to Section 2.06.080 C of this chapter; and
- G. If the board of supervisors finds that the violation exists the board of supervisors shall order the violation to be abated by the owner at the owner's expense. If the owner fails to obey the abatement order, the board of supervisors may abate the violation using county workers or by contract all at the expense of the owner; and
- H. The owner shall be liable for all costs of abatement incurred by the county including but not limited to administrative and investigative costs and any and all costs incurred in the physical abatement of the violation; and
- I. In any action, proceeding, or administrative proceeding to abate a violation the county or the alleged violator, whoever is the prevailing party, shall be entitled to the amount of reasonable attorney's fees actually incurred in the action or proceeding; and
- J. If the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the costs of the assessment to be specially assessed against the premises. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment; and
- K. If the board of supervisors specifically assesses the cost of abatement against the premises, the board also may cause a notice of abatement lien to be recorded. This notice of abatement lien shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the violation was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost. (Ord. 1474 §2(part), 1999).







Michelle G

Fwd: Attn: Krista & Ruslan RE: 24395 Shakeridge rd.

1 message

Amador County Planning Department <planning@amadorgov.org>

Fri, Aug 6, 2021 at 11:01 AM

To: Michelle Gallaher <mgallaher@amadorgov.org>

Amador County Planning Department
810 Court Street
Jackson, CA 95642
(209) 223-6380
planning@amadorgov.org

----- Forwarded message -----

From:
Date: Fri, Aug 6, 2021 at 11:46 AM
Subject: Attn: Krista & Ruslan RE: 24395 Shakeridge rd.
To: <planning@amadorgov.org>

I also wanted to point out that he has numerous pieces of heavy equipment on his property. Behind his house and around his yard. He has made parking behind his home to store many of them. I know he has 2 excavators, 2 skid steers, lifts, a large loader and trailers. He just bought a skid steer with a big log grabber on the front....he says it's not a business but why would he need that? Also, why would he need to bring in 40+ logs from Mario's Tree Service with the help of our Supervisor Brian Oneto if it isn't a business, when there is no work being done on his house with his finished lumber. However random people with trailers regularly pick up the finished lumber.

He still has many larger logs ready to mill any day I'm sure .

I hope this sawmill/lumber yard/construction business will not continue as it has been a complete nuisance. Evertime we have company over we have to listen to all the machinery next door. He does it on weekends, holidays and whenever he feels like it.

It has been going on for many years and he will continue regardless of what happens. He doesn't care about his neighbors at all. Even living in a residential neighborhood.

Thank you for your time.

Sincerely,

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone



Michelle Gallaher <mgallaher@amadorgov.org>

24395 Shakeridge rd.

8 messages

Michelle Gallaher <mgallaher@amadorgov.org>

Mon, Aug 9, 2021 at 8:12 AM

To: !

Good morning

I received your email from Planning. May I ask how do you know if Oneto is involved? Have you seen him there? This would be helpful to know since this case is probably going to go to a hearing. Also, would you be willing to take video or photos of people and their trailers picking up the wood, Marios dropping off the wood, and if you see the supervisor there. This would be very solid evidence for the case.

Thank you!

Michelle Gallaher
Code Enforcement Officer
County of Amador
Office: 209-223-6565
Fax: 209-223-6254
mgallaher@amadorgov.org

Mon, Aug 9, 2021 at 7:18 PM

To: Michelle Gallaher <mgallaher@amadorgov.org>

Hello Michelle,

... called Brian Oneto to file this complaint and he told my brother that he was the one that was partially responsible for Mario's Tree dropping off logs to Jay Maki. I have taken some pictures that have been given to the planning department. Unfortunately the video my brother took of Mario's dropping off logs is very blurry, but my husband, brother and I all saw it happen. He is very sneaky and waits until I leave to do his business now since he obviously was tipped off the day after we contacted Brian Oneto's office regarding this matter. He quickly moved 20 or so smaller logs on a trailer which had pge poles in with it and cleaned up slash piles and covered alot of finished plywood and moved his finished lumber around. I know this because my husband is home recovering from ankle fusion surgery and tells me. He still has 30 to 40 large logs from Mario's ready to mill. He also has moved heavy equipment behind his house hiding it. Today when I got home I noticed his gate is locked and he has a large log blocking the other access road which means he is gone for a few days so I have attached all the photos I have given to the planning department for now. I thank you for your help in stopping this nuisance.

Sincerely,

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone
[Quoted text hidden]

7 attachments

20210729_190333.jpg
1131K



20210722_173241.jpg
1226K



20210716_093426.jpg
1272K



20210702_165539.jpg
1960K



20210629_212239.jpg
1516K



20210623_200633.jpg
1333K

8/24/2021

County of Amador Mail - 24395 Shakeridge rd.



20210623_195458.jpg
1609K

Michelle Gallaher <mgallaher@amadorgov.org>
To:

Tue, Aug 10, 2021 at 9:12 AM

Thank you for your response. If you could continue to document drop-offs, pickups, him working on the mill, etc will be good evidence for the case. Also, if it does go to a hearing, would you like to be a part of it to state your case and what you have heard and witness, and would it be ok to include this email in the documentation? It would make a difference for the hearing board to hear from neighbors how much of a nuisance this is and if you know other neighbors as well that would like to be included please let me know. Ultimately it will come down to their decision for enforcement and having solid evidence & testimony would help the case greatly.

Michelle Gallaher
Code Enforcement Officer
County of Amador
Office: 209-223-6565
Fax: 209-223-6254
mgallaher@amadorgov.org

[Quoted text hidden]

Michelle Gallaher <mgallaher@amadorgov.org>
To:

Tue, Aug 10, 2021 at 9:15 AM

Also, When were these two photos taken? They are not in the Planning folder. Photos ending in 426 & 539?

Michelle Gallaher
Code Enforcement Officer
County of Amador
Office: 209-223-6565
Fax: 209-223-6254
mgallaher@amadorgov.org

[Quoted text hidden]

To: **Michelle Gallaher** <mgallaher@amadorgov.org>

Tue, Aug 10, 2021 at 1:23 PM

The first part of July does have a good video of Mario's dropping off logs but he needs to have it downloaded because the resolution gets blurry when he sends it to me. I most definitely will help at the hearing and so will I will reply more from the other email when I get off work tonight. Thank you again.

Sincerely,

[Quoted text hidden]

Michelle Gallaher <mgallaher@amadorgov.org>
To:

Tue, Aug 10, 2021 at 4:38 PM

Thank you for the update!

Michelle Gallaher

8/24/2021

County of Amador Mail - 24395 Shakeridge rd.

Code Enforcement Officer
County of Amador
Office: 209-223-6565
Fax: 209-223-6254
mgallaher@amadorgov.org

[Quoted text hidden]

Tue, Aug 10, 2021 at 7:48 PM

to: Michelle Gallaher <mgallaher@amadorgov.org>

I am willing to help at a hearing wish it didn't have to come to that.

We will continue to take pictures and video as able but he seems to know what's going on since talking to the planning department and Brian Oneto's office.

As far as other neighbors besides for vacation homes I think we are the only ones that suffer from his huge lumber business. Which is probably why nothing has been done thus far.

You may also use any emails, pictures or videos to help with this case.

Thank you ,

Sent via the Samsung Galaxy A51 5G, an AT&T 5G smartphone

----- Original message -----

From: Michelle Gallaher <mgallaher@amadorgov.org>

Date: 8/10/21 9:12 AM (GMT-08:00)

To:

Subject: Re: 24395 Shakeridge rd.

[Quoted text hidden]

Michelle Gallaher <mgallaher@amadorgov.org>

Tue, Aug 24, 2021 at 10:42 AM

To:

Good afternoon,

A hearing for Maki will be scheduled for September 23rd at 10:00 AM. I will get back to you if anything changes. Please let me know and document any activities that happens now up to the hearing date. Please let me know if you can attend as a witness.

Thank you!

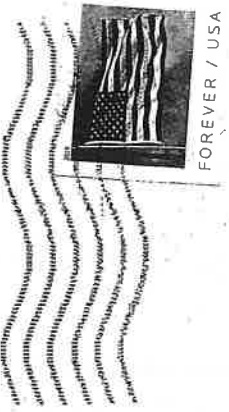
Michelle Gallaher
Code Enforcement Officer
County of Amador
Office: 209-223-6565
Fax: 209-223-6254
mgallaher@amadorgov.org

[Quoted text hidden]

Jay Maki
24395 Shake Ridge Rd.
Volcano, CA 95689

PARCEL POST

12 AUG 2001 PM 2 T



BOB?

COUNTY ADMINISTRATION CENTER
810 COURT STR.
JACKSON, CA. 95642

ATTN.

95642#2132

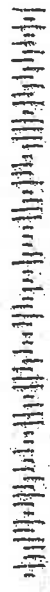


EXHIBIT 13

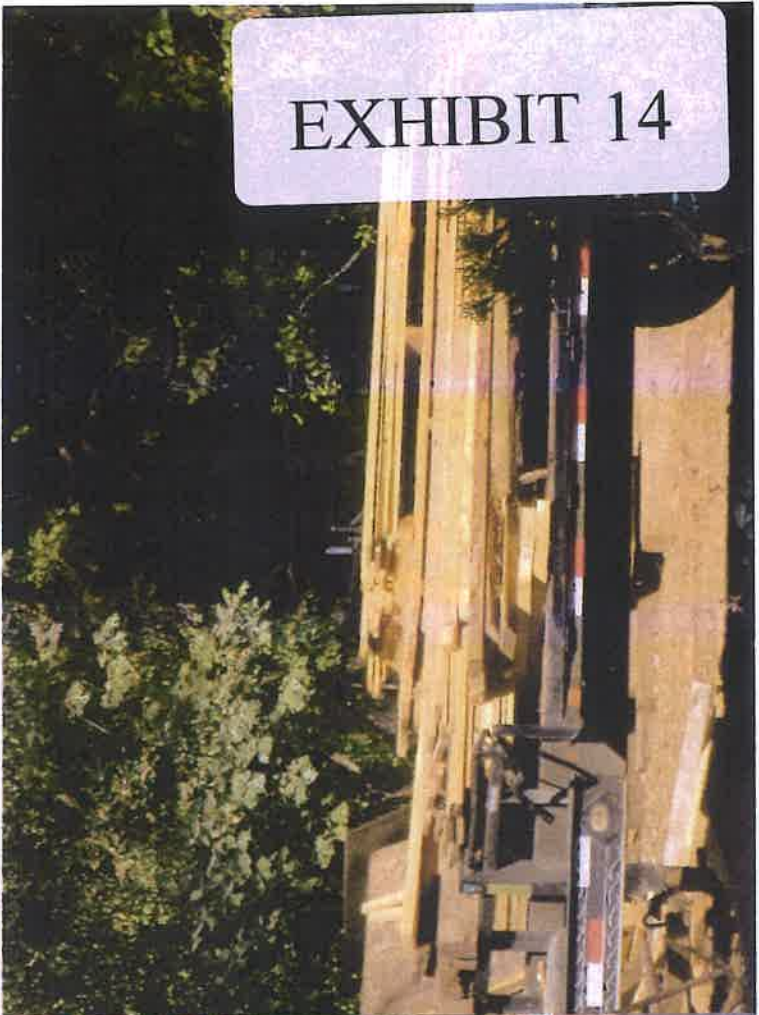
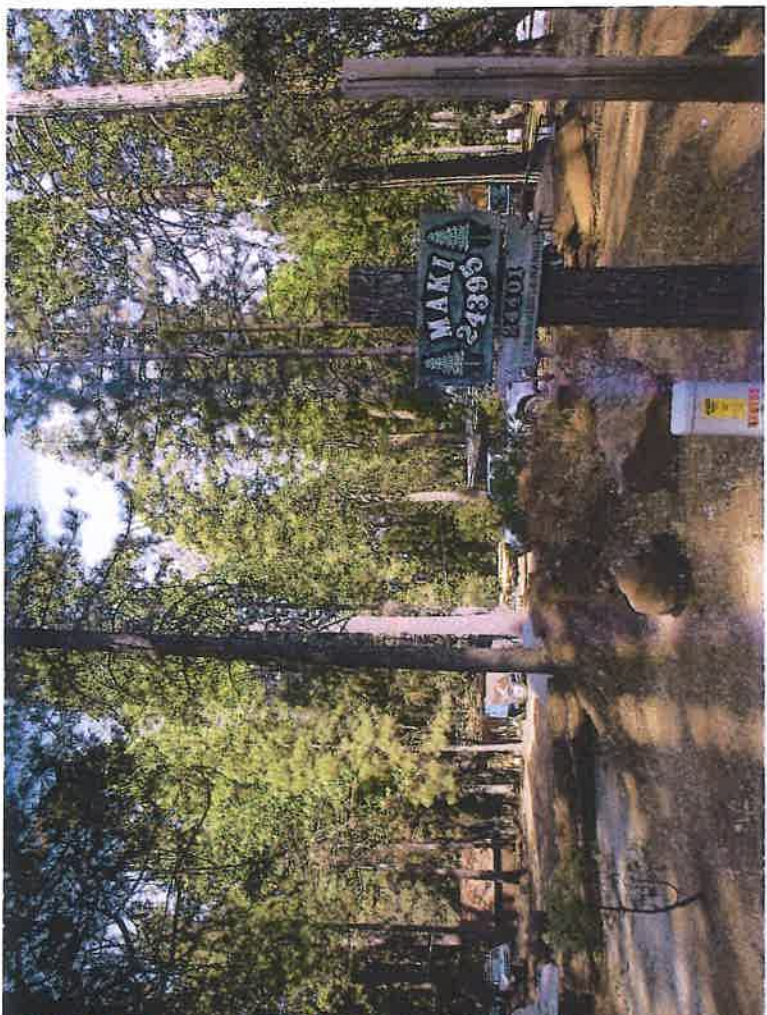
B-12-21

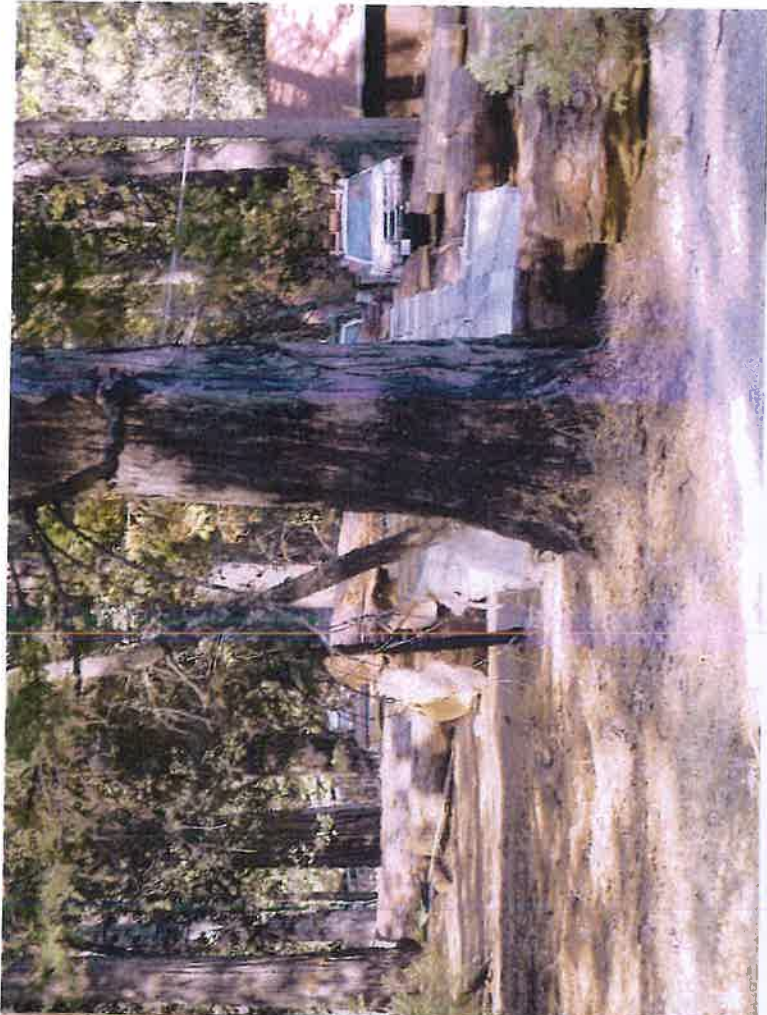
~~FOR RECORDS TO NOTICE~~
OF CODE VIOLATIONS, I
WOULD LIKE TO HAVE A
HEARING ON THIS MATTER

JAY MAKI

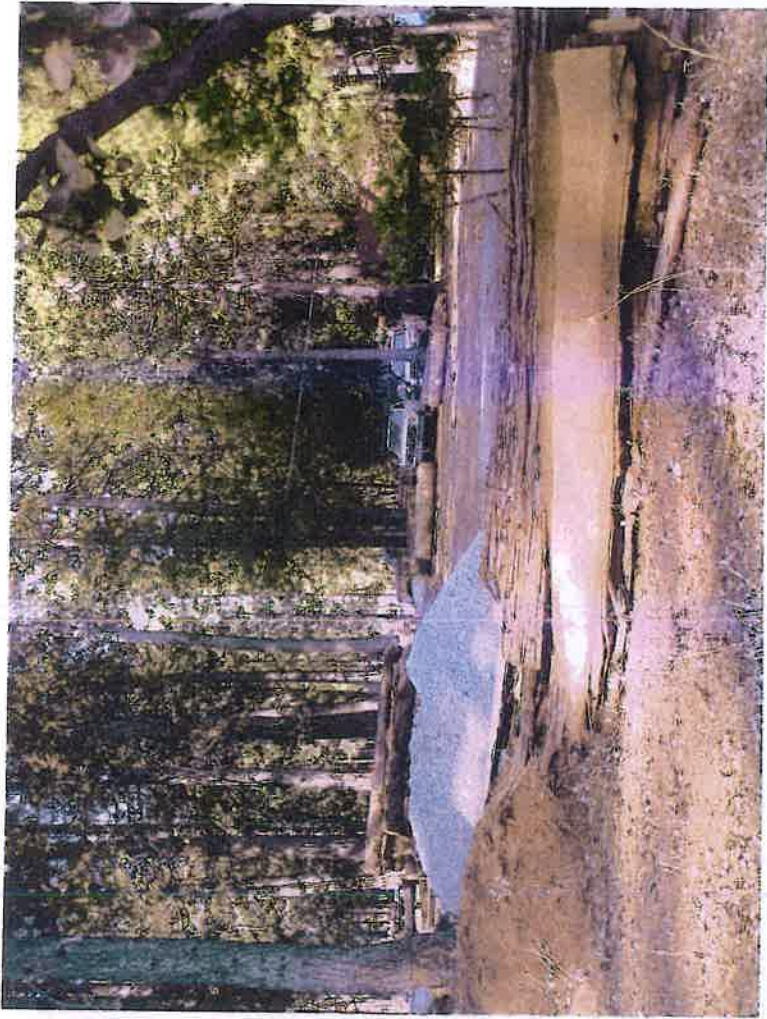
DM

EXHIBIT 14











CODE ENFORCEMENT
COUNTY ADMINISTRATION CENTER

810

EXHIBIT 15

NOTICE OF ADMINISTRATIVE ABATEMENT HEARING

USPS 1st CLASS MAIL

September 3, 2021

Jay Maki
24395 Shake Ridge Road
Volcano, CA 95689

Affected Property: Assessor's Parcel Number: 023-580-006-000
Address: 24395 Shake Ridge Road, Volcano, CA 95689; Case P21-34

Dear Mr. Maki:

An Administrative Abatement Hearing has been scheduled for Thursday, September 23, 2021 at 10:00 a.m. in the Amador County Board of Supervisors Chambers at the County Administration Center located at 810 Court Street, Jackson, California to hear your case regarding the illegal timber operations performed at your residential R-1 property.

If you have any questions regarding this hearing, you may reach me at (209) 223-6565 between 8:00 a.m. and 4:30 p.m. (Monday through Friday).

Sincerely,

Michelle Gallaher
Code Enforcement Officer

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION DECLARING LOCAL STATE
OF EMERGENCY IN AMADOR COUNTY
DUE TO PERVASIVE TREE MORTALITY

RESOLUTION NO. 20-xxx

WHEREAS, On October 20, 2015, Governor Brown of the State of California, issued an Executive Order related to unprecedented tree mortality due to drought conditions, directed state agencies to begin collaborating and partnering with local government to take action to remove dead and dying trees threatening public safety and infrastructure and approved California Disaster Assistance Act funding to assist in these efforts; and

WHEREAS, California Government Code Section 8630 empowers the Board of Supervisors to proclaim the existence or threatened existence of extreme peril to the safety of persons and property and are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County; and

WHEREAS, On January 17, 2014, Governor Brown proclaimed a Drought State of Emergency as the State is experiencing the most severe drought in history with four years of below average rain and snow; and

WHEREAS, On December 14, 2015, California Department of Forestry and Fire Protection issued a news release stating “even with recent rains it will likely take years to slow down the massive tree mortality and bark beetle infestation”; and

WHEREAS, The latest aerial survey estimated that between 2010 and 2019, over 162.7 million trees have died across California as a result of the drought and the effects of bark beetle infestation; and

WHEREAS, Tree mortality from bark beetle infestation has accelerated over the past few months in Amador County; and

WHEREAS, On July 31, 2015, Governor Brown proclaimed a State of emergency due to a series of wildfires statewide citing drought conditions which have increased the State’s risk of wildfires and caused millions of trees to die; and

WHEREAS, Beginning on September 9, 2015 the Butte Fire in Amador and Calaveras County destroyed 921 structures including; 549 homes, 368 outbuildings, and 4 commercial properties, caused power loss to thousands of homes and business, and thousands of families to evacuate their homes, all resulting in part from dead and dying trees caused by drought conditions; and

WHEREAS, Unless the risks posed by dead, dying and diseased trees are immediately abated, there will remain a significantly increased risk to life and property, and interruption of essential services; and

WHEREAS, The magnitude of the Butte Fire tree mortality and the pervasive tree mortality in other parts of the County represents a threat that is beyond the capacity of the County (public and private)

services, personnel, equipment and facilities and requires coordination and assistance from State and Federal agencies.

THEREFORE, BE IT HEREBY RESOLVED that the Amador County Board of Supervisors do hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a local emergency in Amador County and imminent threat of disaster as the result of tree mortality.

BE IT FURTHER RESOLVED that the Amador County Board of Supervisors does hereby establish a tree mortality taskforce and charge it to develop a risk abatement plan, coordinate agency, organization and citizen efforts, seek funding, resolve barriers, and maximize County resources.

BE IT FURTHER RESOLVED that the County of Amador requests the State of California include Amador County in the list of Priority Counties within the California Tree Mortality Task Force.

BE IT FURTHER RESOLVED that the County of Amador requests the assistance of the State of California in the coordination of resources to assist in the removal of dead and dying trees due to drought and bark beetle infestation.

BE IT FURTHER RESOLVED that the County of Amador requests the state of California to waive or expedite regulations, permits and permit fees that may hinder response and recovery efforts, make available assistance under the California Disaster Assistance Act or any other state funding, and to expedite access to federal resources and any other appropriate federal disaster relief programs.

BE IT FURTHER RESOLVED that said local State of Emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors of Amador, State of California.

The foregoing resolution was duly passed and adopted by the Board of Supervisors in the County of Amador at a regular meeting thereof, held on the 24th day of November, 2020, by the following vote:

AYES:	Patrick Crew, Frank Axe, Richard Forster, Jeff Brown, Brian Oneto
NOES:	None
ABSENT:	None

Pat Crew, Chairman, Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

Deputy