



DATE: June 11, 2008

TO: Honorable Mayor and City Councilmembers

FROM: Neighborhood Services Department - Housing and Code Enforcement

SUBJECT: **APPEAL OF A CODE ENFORCEMENT PUBLIC NUISANCE NOTICE AND ORDER REQUIRING CORRECTIVE ACTION ON PROPERTY LOCATED AT 529 SOUTH TREMONT STREET, APN 150-185-09-00**

SYNOPSIS

Staff recommends that the City Council:

1. Conduct a public hearing pursuant to Oceanside City Code Section 17.6(6) to consider an appeal filed by Krzysztof Olszewski to a Public Nuisance Notice and Order issued by the Code Enforcement Division requiring corrective action on property located at 529 South Tremont Street, APN 150-185-09-00,
2. Consider all relevant information and testimony from interested parties,
3. Deny the appeal, and
4. Adopt a resolution setting forth findings and ordering the owner to correct the violation.

BACKGROUND

Oceanside City Code Chapter 17 requires owners within the City of Oceanside to maintain their properties in compliance with all applicable codes and ordinances. Notice and Orders are issued for continuing violations where citations have not resulted in compliance. An appeal to a Notice and Order must be filed by the owner of record within 10 days. Upon receipt of a timely appeal, a public hearing must be scheduled before the City Council where the appeal will be considered. A timely appeal has been received by the property owner in response to a Public Notice and Order issued for the property located at 529 South Tremont Street.

ANALYSIS

The property located at 529 South Tremont Street was permitted and constructed as a one-unit dwelling. An application for a multi-unit development prior to construction was submitted and subsequently withdrawn by the owner as the project was not supported by Planning. The property owner, Krzysztof Olszewski, has converted the structure into three units without obtaining permits. The owner plead guilty to the aforementioned violation and fines were assessed by the North County Superior Court, however, the violation remains uncorrected.

As the next step in enforcement, a Public Nuisance Notice and Order approved by Code Enforcement, the Chief Building Official, and the Fire Marshal's Office was issued on May 9, 2008, requiring the owner to restore the structure to its original configuration as a one-unit dwelling, and to obtain the necessary building permits to document the restoration. The property owner has failed to take the required corrective action and has filed an appeal to the Notice and Order. Pursuant to Oceanside City Code Section 16.6(6), a determination by the City Council regarding the existence of a City Code violation must be made. If the appeal is denied, a resolution by the City Council will be adopted which will order the owner to correct the violation. Should the property remain in violation, the City will subsequently obtain an abatement warrant from the North County Superior Court to complete the work.

FISCAL IMPACT

If applicable, the potential costs associated with abating the nuisance by the City will be recovered as a lien against the property pursuant to Oceanside City Code Sections 17.11 through 17.13.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney's Office and approved as to form.

RECOMMENDATION

Staff recommends that the City Council:

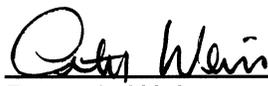
1. Conduct a Public Hearing pursuant to Oceanside City Code Section 17.6(6) to consider an appeal filed by Krzysztof Olszewski to a Public Nuisance Notice and Order issued by the Code Enforcement Division requiring corrective action on property located at 529 S. Tremont Street, APN 150-185-09-00,
2. Consider all relevant information and testimony from interested parties,
3. Deny the appeal, and
4. Adopt a resolution setting forth findings and ordering the owner to correct the violation.

PREPARED BY:



David L. Manley
Neighborhood Services Division Manager

SUBMITTED BY:



Peter A. Weiss
City Manager

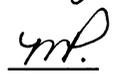
REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Margery M. Pierce, Neighborhood Services Director

Jim Zicaro, Chief Building Official

~~Bob Cotton~~, Fire Marshal
MIKE MARGOT


Attachments:

1. Public Nuisance Notice and Order
2. Notice and Order Appeal
3. Property Ownership Records
4. Planning and Building Permit Records
5. Abatement Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE FINDING THAT A PUBLIC NUISANCE VIOLATION EXISTS ON THE PROPERTY LOCATED AT 529 SOUTH TREMONT STREET, OCEANSIDE, CALIFORNIA 92054, AND ORDERING THE ABATEMENT OF SAID NUISANCE

WHEREAS, Oceanside City Code Chapter 17 requires all property owners within the City of Oceanside to maintain their property in compliance with all applicable codes and ordinances,

WHEREAS, the Code Enforcement Office issued a Public Nuisance Notice and Order on May 9, 2008 to the owner of record of the property located at 529 South Tremont Street, Oceanside, California, 92054 stating that the property is in violation of Oceanside City Code Section 17.2(a) and the Uniform Code for the Abatement of Dangerous Buildings Section 302;

WHEREAS, the owner of record has not voluntarily corrected the violations and has filed an appeal to the Notice and Order pursuant to the provisions of Oceanside City Code Section 17.6(6);

WHEREAS, on June 11, 2008 the City Council of the City of Oceanside held a public hearing, at which time an opportunity was provided by all interested parties to present arguments for and against the appeal; and

WHEREAS, the City Council finds that the continued violation on the above referenced property constitutes a Public Nuisance as defined by Oceanside City Code Chapter 17;

NOW, THEREFORE, the City Council does order as follows:

The owner of record of 529 South Tremont Street, Oceanside, California, 92054 is hereby required to restore the dwelling to its original permitted configuration per Building Permit No. 136168 issued on or about March 30, 2001 by the Oceanside Building Department and to obtain all applicable building permits documenting the restoration within ninety (90) days of the adoption of this resolution, and that failure to comply with this order will result in the City obtaining an abatement warrant to complete the required work and to assess all costs associated with the abatement through a property tax lien.

1 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
2 this _____ day of _____, 2008, by the following vote:

3 AYES:

4 NAYS:

5 ABSENT:

6 ABSTAIN:

7
8 MAYOR OF THE CITY OF OCEANSIDE

9
10 ATTEST:

APPROVED AS TO FORM:

11
12 _____
City Clerk

13 
City Attorney

14
15
16 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE FINDING THAT A PUBLIC NUISANCE
17 VIOLATION EXISTS ON THE PROPERTY LOCATED AT 529 SOUTH TREMONT STREET, OCEANSIDE,
18 CALIFORNIA 92054, AND ORDERING THE ABATEMENT OF SAID VIOLATION
19
20
21
22
23
24
25
26
27
28



CITY OF OCEANSIDE

NEIGHBORHOOD SERVICES DEPARTMENT
CODE ENFORCEMENT DIVISION

NOTICE AND ORDER PUBLIC NUISANCE

STREET ADDRESS: 529 S Tremont St
ASSESSOR'S PARCEL: 150-185-09-00
LEGAL DESCRIPTION: BRYANS ADD LOT 8 BLK 31

The City of Oceanside has found the property at the above referenced address to be a Public Nuisance/Dangerous Building. The following conditions are unlawful and render the property a Public Nuisance per Oceanside City Code § 17.2 (a) and Uniform Code for the Abatement of Dangerous Buildings §302:

1. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or Housing Code, or of any law or ordinance of this state or jurisdiction relating to the condition, location or structure of buildings. *UCADB § 302.13 as adopted by OCC § 6.16.*
2. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard. *UCADB § 302.16.*
3. Walls and floors separating dwelling units in the same building, or guest rooms in Group R, Division 1 hotel occupancies, shall not be of less than one-hour fire-resistive construction. *UBC § 310.2.2 as adopted by OCC § 6.6.*
4. Property in a condition which is adverse or detrimental to public health, safety, or general welfare. *OCC § 17.3(a)(1).*
5. Property upon which any violation of this Code, or other City Codes and ordinances exists, or property which is used in violation of this Code or other City Codes and ordinances. *OCC § 17.3(m).*

The correction required to restore the property to conformance with the City Code is:

- A. Obtain a building permit and restore the structure to its original approved/permitted configuration as a single family dwelling and have all work inspected by the City of Oceanside Building and Code Enforcement Divisions.

The above corrections must be completed by no later than **June 08, 2008**.

If the above corrections are not completed with the time frames specified and no appeal has been properly and timely filed, the City shall file in the Office of the San Diego County Recorder a certificate describing the property and certifying that the property is a Public Nuisance and that the owner has been so notified. The City may also proceed to cause the work to be done and charge the costs thereof against the property or its owner.

SEE ATTACHED FOR APPEAL INFORMATION.

BY: 
Kirk Mundt
Code Enforcement Officer II

05-08-08
Date


David C Parsons
Deputy Fire Marshal


Jim Zicaro
Chief Building Official

PROPERTY MAINTENANCE STANDARDS

Oceanside City Code Chapter 17 provides for the issuance of a Notice and Order for code violations concerning property maintenance. It has been determined that there is a correlation between poor property maintenance and increased levels of crime and public nuisances which detract from neighborhood living conditions.

It is the responsibility of the property owner/agent to have a continuing awareness of the condition of the property and to maintain it at all times in compliance with all applicable codes and ordinances. Upon failure of the property owner/agent to meet their obligations, this Notice and Order authorizes the City to take any action necessary to bring the property into compliance, and to assess any costs associated with such action against the property.

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: abatement, criminal prosecution, civil litigation, and recording the violation with the County Recorder.

RIGHTS OF APPEAL

Any person having any record title or legal interest in the property may appeal the Notice and Order, provided the appeal is made in writing as provided in the code, and filed with the City within 10 days from the date of this order. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter. The application for appeal must be submitted on the approved form (attached) and accompanied by a \$150 processing fee.

A copy of the Oceanside City Code is on file at the City of Oceanside Code Enforcement Division. If further information concerning this order is needed, please contact the Code Enforcement Division at (760) 435-3945.

PROOF OF SERVICE BY MAIL

I am employed by the City Oceanside located in the County of San Diego, State of California. I am over the age of 18. My business address is: 602 Civic Center Drive, Oceanside, California.

On May 9, 2008, I served a Notice and Order Public Nuisance regarding the property located at:

529 S. Tremont Street
Oceanside, CA 92054

Executed May 9, 2008, Oceanside, California.

I served this Notice and Order both regular and certified mail through placing the original thereof in a sealed envelope addressed as follows:

Krzystof P. Olszewski
529 S. Tremont Street
Oceanside, CA 92054

I deposited such envelopes in the mail at Oceanside, California. The envelopes were mailed with postage thereon fully prepaid. I am "readily familiar" with the City's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Oceanside, California in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Kirk A. Mundt, Code Enforcement Officer

PROOF OF SERVICE BY MAIL

I am employed by the City Oceanside located in the County of San Diego, State of California. I am over the age of 18. My business address is: 602 Civic Center Drive, Oceanside, California.

On May 9, 2008, I served a Notice and Order Public Nuisance regarding the property located at:

529 S. Tremont Street
Oceanside, CA 92054

Executed May 9, 2008, Oceanside, California.

I served this Notice and Order both regular and certified mail through placing the original thereof in a sealed envelope addressed as follows:

Krzystof P. Olszewski
529 S. Tremont Street
Oceanside, CA 92054

I deposited such envelopes in the mail at Oceanside, California. The envelopes were mailed with postage thereon fully prepaid. I am "readily familiar" with the City's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Oceanside, California in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Kirk A. Mundt, Code Enforcement Officer

SENT BY CERTIFIED MAIL # 706730200001 1946 6930

5-16-2008

10⁰⁰ AM



City of Oceanside Code Enforcement Division
602 Civic Center Drive, Oceanside, California 92054

NOTICE AND ORDER APPEAL APPLICATION

Property Address: 529 S. Tremont St.

Assessor's Parcel Number: 150-185-09-00

Person filing appeal (Appellant): KRZYSZTOF OLSZEWSKI

Interest in Property:

- Property Owner
- Tenant
- Manager
- Lien holder
- Other: _____

Mailing Address: 529 S. Tremont St. Oceanside, CA 92054

Telephone Number: (760) 722-1730

REASON(S) FOR APPEAL (attach additional sheets if necessary):

1) The Department's claim has all ready been resolved by prior
 court action, and I am complying with the court order, by making
 payments. In spite of this fact: On 5/08/08, This Department sent
 me another letter of violation ("Notice To Abate Hazard") on a
 property I do not even own (510 S. Cleveland). I believe that these

(see attachment)

I declare that the information stated in this appeal application is true and correct:

Signature (Appellant) Krzysztof Olszewski Date 5-15-2008

Appellant will be notified of time, date and location of the hearing by first class mail at the mailing address indicated above.

For City Use Only	
Date Appeal Received	MAY 19 REC'D
Received via:	Received By <u>[Signature]</u>
<input checked="" type="checkbox"/> Mail	<input type="checkbox"/> Personal Delivery
<input type="checkbox"/> Other	_____

Notice and Order Appeal Application

(Continued):

facts demonstrate that The City of Oceanside is harassing me for a matter that has
already been resolved.

= M E T R O S C A N P R O P E R T Y P R O F I L E =
San Diego (CA)

=====

OWNERSHIP INFORMATION

=====

Parcel Number :150 185 09 00
 Owner :Olszewski & Zieba Family Trust 04-21-01
 CoOwner :
 Site Address :529 S Tremont St Oceanside 92054
 Mail Address :529 S Tremont St Oceanside Ca 92054
 Owner Phone :
 Tenant Phone :

=====

SALES AND LOAN INFORMATION

=====

Transferred	:03/15/2006	Loan Amount	:
Document #	:177711	Lender	:
Sale Price	:	Loan Type	:
Deed Type	:Grant Deed	Interest Rate	:
% Owned	:100	Vesting Type	:Trust\trustee

=====

ASSESSMENT AND TAX INFORMATION

=====

Land	:\$166,339	Exempt Type	:Homeowners
Structure	:\$395,651	Exempt Amount	:\$7,000
Other	:	Tax Rate Area	:07000
Total	:\$561,990	07-08 Taxes	:\$5,944.92
% Improved	:70		

=====

PROPERTY DESCRIPTION

=====

Map Grid :1106 B1
 Census :Tract:182.00 Block:4
 Zoning :3 R-3,Multiple,Restricted
 Land Use :311 Res,Single Family Residence
 Bldg Use :*unknown Building Use*
 Sub/Plat :BRYANS ADD
 Map Number :000219
 Legal :BRYANS ADD LOT 8 BLK 31
 :
 :

=====

PROPERTY CHARACTERISTICS

=====

Bedrooms	:4	Lot Acres	:	YearBuilt	:2003
Bathrooms	:4.50	Garage Space	:2	Lot SqFt	:
Units	:1	View	:None	Bldg SqFt	:3,087
Pool	:No	Stories	:		

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski/Zieba Family Trust
CoOwner :
Title : Commonwealth Land Title
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 03/15/2006
Doc # : 177711
Deed : Grant Deed
Vest : Trust\trustee
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski Krzysztof P
CoOwner : Zieba Anna T
Title : Commonwealth Land Title
Lender : Countrywide Bk
Loan : Equity Mortgage
Loan\$: \$270,000
Rate : Adjustable

Price :
Xfered : 03/14/2006
Doc # : 175637
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski/Zieba Family Trust
CoOwner :
Title : Commonwealth Land Title
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 11/17/2005
Doc # : 997327
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski Krzysztof P
CoOwner :
Title : Commonwealth Land Title
Lender : Countrywide Home Loans
Loan : Conventional
Loan\$: \$1,170,000
Rate : Adjustable

Price :
Xfered : 11/16/2005
Doc # : 993799
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski Krzysztof P
CoOwner :
Title : Commonwealth Land Title
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 11/16/2005
Doc # : 993798
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski/Zieba Family Trust
CoOwner :
Title : Attorney Only
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 11/04/2005
Doc # : 964823
Deed : Trust Transfer
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski Krzysztof P
CoOwner :
Title : Fidelity National Title
Lender : Americas Wholesale Lender
Loan : Conventional
Loan\$: \$848,000
Rate : Adjustable

Price :
Xfered : 03/24/2004
Doc # : 241120
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski Krzysztof P
CoOwner : Zieba Anna T
Title : United Title
Lender : Washington Mutual Bank
Loan : Conventional
Loan\$: \$410,000
Rate : Adjustable

Price :
Xfered : 11/05/2002
Doc # : 988738
Deed : Grant Deed
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewski/Zieba Trust
CoOwner :
Title :
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 04/26/2001
Doc # : 258273
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 09 00**

Buyer : Olszewska Ludmila
CoOwner :
Title : First American Title
Lender : Bank Of America
Loan : Conventional
Loan\$: \$124,000
Rate : Fixed

Price : \$155,000
Xfered : 01/14/2000
Doc # : 21840
Deed : Grant Deed
Vest :
%Owned : 100
\$/SqFt : 50.21

Transfer History**Property ID: 150 185 09 00**

Buyer : Mita Randall G
CoOwner :
Title :
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 09/16/1988
Doc # : 468298
Deed :
Vest :
%Owned : 100
\$/SqFt : 0.00

= M E T R O S C A N P R O P E R T Y P R O F I L E =
San Diego (CA)

=====

OWNERSHIP INFORMATION

=====

Parcel Number :150 185 03 00
 Owner :Olszewski Krzysztof
 CoOwner :
 Site Address :510 S Cleveland St Oceanside 92054
 Mail Address :515 S Tremont St Oceanside Ca 92054
 Owner Phone :
 Tenant Phone :

=====

SALES AND LOAN INFORMATION

=====

Transferred	:02/14/2001	Loan Amount	:
Document #	:85922	Lender	:
Sale Price	:	Loan Type	:
Deed Type	:Quit Claim	Interest Rate	:
% Owned	:100	Vesting Type	:

=====

ASSESSMENT AND TAX INFORMATION

=====

Land	:\$62,998	Exempt Type	:
Structure	:	Exempt Amount	:
Other	:	Tax Rate Area	:07000
Total	:\$62,998	07-08 Taxes	:\$768.10
% Improved	:		

=====

PROPERTY DESCRIPTION

=====

Map Grid :1106 B1
 Census :Tract:182.00 Block:4
 Zoning :3 R-3,Multiple,Restricted
 Land Use :310 Vacant,Residential
 Bldg Use :*unknown Building Use*
 Sub/Plat :BRYANS ADD
 Map Number :000219
 Legal :BRYANS ADD /EXC SE 3 FT/ LOT 14 BLK
 :31
 :

=====

PROPERTY CHARACTERISTICS

=====

Bedrooms :	Lot Acres :	YearBuilt :
Bathrooms:	Garage Space :	Lot SqFt :
Units :	View :	Bldg SqFt :
Pool :	Stories :	

Information compiled from various sources. Real Estate Solutions makes no representations or warranties as to the accuracy or completeness of information contained in this report.

Transfer History**Property ID: 150 185 03 00**

Buyer : Olszewski Krzysztof
CoOwner :
Title :
Lender :
Loan :
Loan\$:
Rate :

Price :
Xfered : 02/14/2001
Doc # : 85922
Deed : Quit Claim
Vest :
%Owned : 100
\$/SqFt : 0.00

Transfer History**Property ID: 150 185 03 00**

Buyer : Schreiber Dale L/Donna E Trustees;Udt
CoOwner :
Title : First American Title
Lender :
Loan :
Loan\$:
Rate :

Price : \$175,000
Xfered : 04/21/1992
Doc # : 233843
Deed : Grant Deed
Vest :
%Owned : 100
\$/SqFt : 0.00

Application For Planning Commission Hearing

Planning Department (760) 966-4770
 Oceanside Civic Center
 300 North Coast Highway
 Oceanside, California 92054-2885

STAFF USE ONLY

ACCEPTED

BY

6/16/2000

NM

Please Print Or Type All Information

HEARING

Part I - APPLICANT INFORMATION

1. APPLICANT LUDMILA OLSZENSKA	2. STATUS OWNER	GPA	
3. ADDRESS 515 S. TREMONT AVE	4. PHONE / FAX	MASTER / SP.PLA	
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) CHRISTOPHER BAIZ		ZONE CH.	
6. ADDRESS 6013 PASO ADAMO STE. 114 CARLSBAD	7. PHONE / FAX 918 (760) 918-0660 (760) 213-1298	TENT. MAP	
		PAR. MAP	
		DEV. PL.	
		C.U.P.	
		VARIANCE	V-8-00
		COASTAL	RC-8-00
		O.H.P.A.C	

PART II - PROPERTY DESCRIPTION

8. LOCATION 529 S. TREMONT	9. SIZE 5000 FT²
10. GENERAL PLAN	11. ZONING RH-U
12. LAND USE RESIDENTIAL	13. ASSESSOR'S PARCEL NO. 150-125-09

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION VARIANCE TO PROVIDE A COMB OUT OFF A MINNOM STREET FRONTAGE (MINNESOTA AVE.) TO PROVIDE OFF STREET PARKING and a Regular Coastal Permit for a two-unit project			
15. PROPOSED GENERAL PLAN N/A	16. PROPOSED ZONING N/A	17. PROPOSED LAND USE N/A	18. NO. UNITS 2 <small>allow: 27/AC max: 23/AC</small>
19. DENSITY	20. BUILDING SIZE 1-2 BDRM: 1274 FT² 1-4 BDRM: 1813 FT²	21. PARKING SPACES 4-COVERED	22. % LANDSCAPE 41% 59%
		23. % LOT COVERAGE 41%	

PART IV - ATTACHMENTS

ALL APPLICATIONS		DEV. PLANS, CUP'S & TENT. MAPS
<input checked="" type="checkbox"/> 24. DESCRIPTION / JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	<input checked="" type="checkbox"/> 30. FLOOR PLANS & ELEVATIONS
<input checked="" type="checkbox"/> 26. 300 FT. RADIUS MAP	<input checked="" type="checkbox"/> 27. PROPERTY OWNERS' LIST	<input type="checkbox"/> 31. CONSTRUCTION SCHEDULE
<input checked="" type="checkbox"/> 28. ENVIRONMENTAL ASSESSMENT	<input checked="" type="checkbox"/> 29. PLOT PLANS	<input type="checkbox"/> 32. OTHER

PART V - SIGNATURES

THE APPLICANT OR HIS /HER REPRESENTATIVE MUST BE PRESENT AT THE HEARING. FAILURE TO BE PRESENT MAY RESULT IN DENIAL OF THE APPLICATION		SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICE SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY.)	
33. APPLICANT OR REPRESENTATIVE (Print): CHRISTOPHER BAIZ	34. DATE 06/16/00	37. OWNER (Print): LUDMILA OLSZENSKA	38. DATE 06/16/00
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		Sign: Ludmila Olszewska	
35. APPLICANT (Print): CHRISTOPHER BAIZ	36. DATE 06/16/00	39. OWNER (Print): LUDMILA OLSZENSKA	40. DATE 1
Sign: CHRISTOPHER BAIZ		Sign:	

CITY OF OCEANSIDE
PLANNING DEPARTMENT
300 N. COAST HIGHWAY
OCEANSIDE, CA. 92054

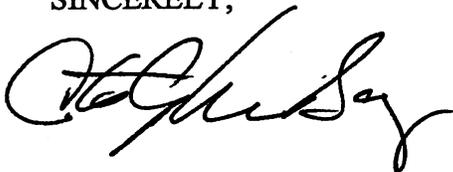
RE: APPLICATION FOR VARIANCE TO PROVIDE OFF STREET
PARKING AT 529 S. TREMONT.

THE PROPOSED PROJECT IS LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF S. TREMONT AND MINNESOTA AVENUES. THE EXISTING ZONE IS RH-U WITH A DENSITY OF 29 UNITS PER ACRE. ALTHOUGH OUR PARCEL IS 5000 SQ. FT. (WHICH ALLOWS US TO BUILD 3 UNITS) WE ARE ONLY PROPOSING THE CONSTRUCTION OF 2 UNITS. ONE UNIT SHALL BE 2 BEDROOMS AND ONE UNIT SHALL BE 4 BEDROOMS (BOTH UNITS SHALL BE OWNER OCCUPIED). OUR PARKING REQUIREMENTS ARE 2 SPACES PER UNIT WITH 1 SPACE PER UNIT COVERED. WE ARE PROPOSING 4 GARAGED PARKING SPACES.

SINCE THE WIDTH OF THE LOT IS ONLY 50 FT. AND THE CITY REQUIRES US TO HAVE A CORNER SIDEYARD OF 10 FT. AND ONE AVERAGE YARD REQUIREMENT OF 10 FT. ON THE OTHER SIDE, THESE REDUCTIONS LEAVE US WITH A CLEAR AREA OF 30 FT. TO ACCOMODATE 4 PARKING STALLS. THE CITY OF OCEANSIDE ARTICLE 31 OFFSTREET PARKING REGULATION REQUIRES THAT ALL RESIDENTIAL PARKING SPACES BE A MINIMUM OF 9 FT. WIDE. SINCE THIS IS THE CASE, WE CAN ONLY PROVIDE 3 STALLS WITHIN THE 30 FT. WIDE AREA AT THE ALLEY.

THEREFORE, WE ARE REQUESTING A VARIANCE TO PROVIDE A PAVED, UNOBSTRUCTED DRIVEWAY OFF OF MINNESOTA AVENUE. MINNESOTA AVENUE IS THE MINOR STEET FRONTAGE BECAUSE IT DEADENDS ONE BLOCK WEST OF THE PROPOSED PROJECT. IF WE ARE GRANTED THE VARIANCE THE PROPOSED DRIVEWAY WOULD ALLOW US TO HAVE 2 GARAGED SPACES PER UNIT. TWO FROM MINNESOTA AVENUE AND TWO FROM THE ALLEY THEREBY INCREASING THE ASTHETICS OF THE BUILDING AND THE SURROUNDING AREA. THIS VARIANCE WILL NOT CONSTITUTE A GRANTING OF SPECIAL PRIVELAGE SINCE SEVERAL COMPLEXES AND RESIDENCES IN THE GENERAL VICINITY WITH IDENTICAL ZONING CLASSIFICATIONS, ENJOY THE PRIVELAGES OF MULTIPLE DRIVEWAYS.

SINCERELY,





CITY OF OCEANSIDE

PLANNING DEPARTMENT

July 21, 2000

Christopher Baiz
6013 Paseo Acampo Suite 114
Carlsbad, CA 92009

SUBJECT: Olszenska
(RC-8-00 & V-8-00)

Dear Mr. Baiz:

The City of Oceanside Application Review Committee (ARC) has conducted their review of your application. The reviewing staff identifying the need for additional information or corrections made several comments.

Planning:

1. Section 4302 G. 1. of the Oceanside Zoning Ordinance states that projects with two (2) housing units require the processing of an Administrative Development Plan. Please fill out the enclosed application, provide the required information and pay the appropriate fees.
2. Please provide full-size plans for the elevations, landscape plan and floor plans. Please provide a materials board. Please note that the height of residential buildings in this area is limited to 2 stories and 27-feet. In addition, height is measured from existing grade. Please depict existing grade as well as proposed finished grade.
3. The southern (rear) elevation should provide differing roof heights to break-up the monolithic roof.
4. Please revise plans to access both garages from the alley. Staff cannot support a Variance for a curb cut on Minnesota Street when access is available from the alley.
5. Please provide a separate landscape plan.
6. Please revise the Description and Justification to indicate whether the units will be apartments or condominiums. Please note that if you intend to build

condominiums (selling each of these units separately) you are required to process a condominium map.

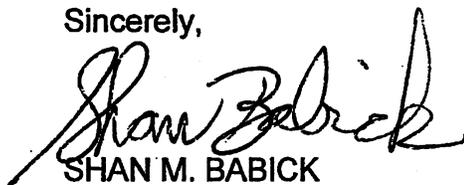
7. A field visit to the site indicated that there is an existing unit onsite, which appears to be ready for moving. Will the existing house be required to be relocated? If so, are you proposing to construct a new slab for the relocated structure. Will the accessory structure (formerly a garage?) located on the northwestern portion of the site be demolished? Please provide this information on the site plan and the Description and Justification where appropriate.

Engineering:

1. Please provide a title report and grant deed.
2. Please provide a 100-foot Radius Information Map of all properties within 100-feet of the subject site. At a **minimum** the property should depict the following: existing and proposed structures, curb cuts, sidewalks, open spaces, water ways, utility poles and fire hydrants; existing and proposed property lines, right-of-way lines (streets, alley's etc.) and easements.

It is necessary for you to address the above items. At this time your application is considered incomplete. However, staff will continue to assist you in processing your application. Please revise your plans and submit them to the Planning Department and your item will be placed on the next available ARC meeting. If you have any questions or concerns regarding this letter please call me at (760) 966-4770.

Sincerely,



SHAN M. BABICK
Associate Planner

Enclosure: Administrative Development Plan Application

09/01/00

CITY OF OCEANSIDE
PLANNING DEPARTMENT
ATTN. SHAN BABRICK
300 N. COAST HIGHWAY
OCEANSIDE, CA. 92054

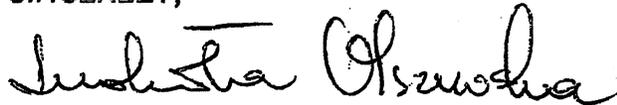
RECEIVED
SEP 11 2000
Planning Department

RE: WITHDRAWL OF V.8.00 AND RC.8.00

DEAR MR. BABRICK,

AFTER A CAREFUL REVIEW OF YOUR LETTER DATED JULY 21,2000, I WOULD LIKE TO MAKE THE FOLLOWING COMMENT. SINCE STAFF CANNOT SUPPORT A VARIANCE FOR A CURB CUT ON MINNESOTA AVE. WE WOULD LIKE TO FORMALLY WITHDRAW OUR VARIANCE APPLICATION . OUR INTENT IS TO PROCEED WITH A SINGLE FAMILY DWELLING AND A TWO CAR GARAGE ACCESSIBLE FROM THE ALLEY.

SINCERELY,



LUDMILA OLSZEWSKA

USE BALL POINT PEN ONLY & PRESS HARD

OCEANSIDE BUILDING DEPARTMENT
 300 N. COAST HWY. Admin. (760) 966-4800

APPLICATION & PERMIT

APPLICANT TO FILL IN INFORMATION WITHIN RED LINES AND DECLARATIONS

JOB ADDRESS: 529 S. TREMONT
 PROPERTY OWNER'S NAME: LASTOLSKA, LUDMILA
 OWNER'S MAILING ADDRESS: 515 S. TREMONT
 OWNER'S PHONE: 722-1730
 CONTRACTOR'S PHONE: 285-650
 DATE OF APPLICATION: 9-20-00
 CONTRACTOR'S ADDRESS: 10.130879 CALGARD

VALUATION: 285,650
 PERMIT NUMBER: 136158
 INSURANCE: 285,650
 INSURANCE AREA: 1
 CITY BUJ. LIC. #
 STATE LICENSE # 33539
 DESIGNER'S PHONE: 931-1792

CONTRACTOR'S ADDRESS: S.A.A.
 ARCHITECT (NO): Rick S. ...
 DESIGNER'S ADDRESS: 10.130879 CALGARD
 OCC. DISTRICT: R-3/U-1
 CENSUS TRACT: 182-00
 NEIGHBORHOOD: C-73
 FIRE: Y
 SPRINK: N

UNIFORM CODES: 97
 NEC: 90
 BLDG. USE CODE: 001
 BUILDING SQ. FOOTAGE: 3087/400
 UNITS: 1
 825 DECKS

DESCRIPTION OF WORK: NEW SFD 2 STORY w/ ATTACHED GARAGE
 4 BEDROOMS, 6 BATH ROOMS
 2-CAR GARAGE

QTY	PLUMBING PERMIT	QTY	MECHANICAL PERMIT
	INSTALL RAIN TUBS		
	EVAPORATIVE COOLER		
	AIR COND. UNIT PUMP		
	BOILER/COMPRESSOR		
	AIR HANDLING UNIT		
	VENT FAN SINGLE DUCT		
	MECH. EXHAUST - HOOD - DUCTS		
	RECOGNITION EA RADIANT HEATER		

CONTRACTOR: [Signature]

QTY	ELECTRICAL PERMIT	QTY	MECHANICAL PERMIT
	NEW LIGHTS AND FIXTURES		
	NEW WIRING		
	REWORK W/ EXISTING WIRING		
	NEW PANEL		
	ESCHALT BOX		

CONTRACTOR: [Signature]

APPROVALS: [Signatures]

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD

OCC. DISTRICT: R-3/U-1

CENSUS TRACT: 182-00

NEIGHBORHOOD: C-73

FIRE: Y

SPRINK: N

UNIFORM CODES: 97

NEC: 90

BLDG. USE CODE: 001

BUILDING SQ. FOOTAGE: 3087/400

CONTRACTOR'S ADDRESS: 10.130879 CALGARD

CONTRACTOR'S PHONE: 285-650

DATE OF APPLICATION: 9-20-00

CONTRACTOR'S ADDRESS: S.A.A.

ARCHITECT (NO): Rick S. ...

DESIGNER'S ADDRESS: 10.130879 CALGARD