



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Continue the Public Hearing to July 17, 2002 to consider an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for his property located at 100 N. Cherokee Lane, Lodi.

MEETING DATE: June 5, 2002

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council continue the Public Hearing to July 17, 2002, to consider an appeal from Chris & Pauline Gianulias regarding Notice and Order to Repair issued for his property at 100 N. Cherokee Lane, in Lodi, California.

BACKGROUND INFORMATION: Mr. and Mrs. Gianulias are the owners of record for the property located at 100 N. Cherokee Lane, a commercial property, on which there are two large wood timber-framed buildings. Mr. Gianulias has appealed a Notice and Order to Repair that was issued by the Community Improvement Division regarding severely deteriorated timber framing found on those structures.

Mr. Gianulias' appeal is based on his contention that the ordered repairs or corrections in that Notice are not based on any fact that involves the structural integrity of the buildings. Furthermore, he claims that the Notice was issued for "capricious, arbitrary, malicious and vindictive causes." Mr. Gianulias' appeal to the City Council as our Board of Appeals was originally intended to be set for the first available meeting, which would have been May 5th. However, at the time that he submitted his appeal, Mr. Gianulias requested that the Public Hearing be set for the first meeting in June.

Mr. Gianulias has now taken out the preliminary permits for these repairs and has asked that the Public Hearing be continued until July.

FUNDING: No funding required.

Konradt Bartlam
Community Development Director

Prepared by Community Improvement Manager Joseph Wood

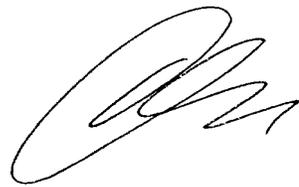
KB/jw

c: Randy Hays, City Attorney
Chris & Pauline Gianulias
Tenants: 100 N. Cherokee Lane

APPROVED: _____

H. Dixon Flynn -- City Manager

I Chris Stamulis hereby
request to postpone my appeal
until July of 2002



5-23-02

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN S. NAKANISHI

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

April 18, 2002

MAILED CERTIFIED MAIL #7000 1670 0008 4483 1029
AND REGULAR U.S. POSTAL DELIVERY

Chris and Pauline Gianulias
3220 Province Towne Court
Modesto, CA 95355

**RE: PUBLIC HEARING SET FOR JUNE 5, 2002 TO CONSIDER AN APPEAL FROM
CHRIS AND PAULINE GIANULIAS REGARDING NOTICE AND ORDER TO
REPAIR ISSUED FOR THE PROPERTY LOCATED AT 100 N. CHEROKEE
LANE, LODI**

This letter is to notify you that a Public Hearing will be held by the City Council on **Wednesday, June 5, 2002**, at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider your appeal regarding the Notice and Order to Repair issued for your property located at 100 N. Cherokee Lane, Lodi.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. *Note: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.*

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters, and, if one is needed, it shall be the responsibility of the person needing one.

Should you have any questions, please contact Community Improvement Manager Joseph Wood in the Community Development Department at (209) 333-6823.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JLT

Enclosures

cc: Community Development Director



DECLARATION OF POSTING

Set Public Hearing for June 5, 2002

Consider appeal from Chris & Pauline Gianulias regarding Notice & Order to Repair issued for the property located at 100 N. Cherokee Lane, Lodi

On Thursday, April 18, 2002 in the City of Lodi, San Joaquin County, California, a copy of Notice of Public Hearing of the City Council of the City of Lodi to consider appeal from Chris & Pauline Gianulias regarding Notice & Order to Repair issued for the property located at 100 N. Cherokee Lane (attached hereto, marked Exhibit "A") was posted at the following four locations:

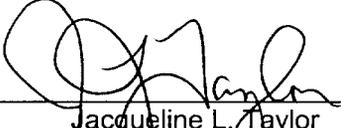
Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on April 18, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**



Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: June 5, 2002

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, June 5, 2002** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

- a) an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for the property located at 100 N. Cherokee Lane, Lodi, California.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

A handwritten signature in cursive script that reads "Susan J. Blackston".

Susan J. Blackston
City Clerk

Dated: April 17, 2002

Approved as to form:

A handwritten signature in cursive script that reads "Randall A. Hays".

Randall A. Hays
City Attorney



DECLARATION OF MAILING

Set Public Hearing for June 5, 2002

Consider appeal from Chris & Pauline Gianulias regarding Notice & Order to Repair issued for the property located at 100 N. Cherokee Lane, Lodi

On April 18, 2001 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, and additionally, United States certified mail envelopes with first-class postage prepaid thereon and indication of return receipt requested, containing a letter of notification, a copy of which is attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

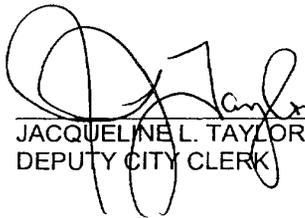
I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 18, 2001, at Lodi, California.

ORDERED BY:

SUSAN BLACKSTON
CITY CLERK, CITY OF LODI

ORDERED BY:



JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

MAILING LIST

Set Public Hearing for June 5, 2002 to consider appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair for the property located at 100 N. Cherokee Lane, Lodi

Owners of Record:

Chris and Pauline Gianulias
3220 Province Towne Court
Modesto, CA 95355

Property Tenants:

Franco's Pizza
100 N. Cherokee Lane
Suite #1
Lodi, CA 95240

Valley Telephone
100 N. Cherokee Lane
Suite #2
Lodi, CA 95240

APNA Mart
100 N. Cherokee Lane
Suite #3
Lodi, CA 95240

Havatan
100 N. Cherokee Lane
Suite #6
Lodi, CA 95240

Note: Suites 4 & 5 are either vacant or combined and therefore have not been designated as a part of this mailing list at the direction of the Community Improvement Manager.



DECLARATION OF MAILING

Continued Public Hearing to July 17, 2002

Consider appeal from Chris & Pauline Gianulias regarding Notice & Order to Repair issued for the property located at 100 N. Cherokee Lane, Lodi

On June 6, 2002 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, and additionally, United States certified mail envelopes with first-class postage prepaid thereon and indication of return receipt requested, containing a letter of notification, a copy of which is attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

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

Executed on June 6, 2002, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN S. NAKANISHI

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney

June 6, 2002

MAILED CERTIFIED MAIL #7000 1670 0008 4483 0961
AND REGULAR U.S. POSTAL DELIVERY

Chris and Pauline Gianulias
3220 Province Towne Court
Modesto, CA 95355

**RE: CONTINUED PUBLIC HEARING TO JULY 17, 2002 TO CONSIDER AN
APPEAL FROM CHRIS AND PAULINE GIANULIAS REGARDING NOTICE AND
ORDER TO REPAIR ISSUED FOR PROPERTY LOCATED AT 100 N.
CHEROKEE LANE, LODI**

This letter is to notify you that the public hearing on June 5, 2002 was opened and continued at your request to **Wednesday, July 17, 2002**, at 7:00 p.m., or as soon thereafter as the matter can be heard, at the Carnegie Forum, 305 W. Pine Street, Lodi.

This hearing is being held to consider the appeal of Pablo Palaganas, Sr. regarding the Notice and Order to Vacate issued for the property located at 305 East Maple Street, Lodi.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.
Note: Written correspondence for the City Council may be mailed in c/o the City Clerk's Office, P.O. Box 3006, Lodi, CA 95241-1910, or delivered to the City Clerk at 221 West Pine Street, Lodi, California.

All proceedings before the City Council are conducted in English. The City of Lodi does not furnish interpreters, and, if one is needed, it shall be the responsibility of the person needing one.

Should you have any questions, please contact Community Improvement Manager Joseph Wood in the Community Development Department at (209) 333-6823.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JLT
cc: Community Development Director

CITY OF LODI
 CITY HALL, 221 W. PINE ST.
 P. O. BOX 3006
 LODI CALIFORNIA 95241-1910

Office of the City Clerk

Chris and Pauline Gianulias
 3220 Province Towne Court
 Modesto, CA 95355

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Chris and Pauline Gianulias
 3220 Province Towne Court
 Modesto, CA 95355

4a. Article Number
 7000 1670 0008 4483 0961

4b. Service Type
 Registered Return Receipt Requested Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

our RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS FOLD AT DOTTED LINE

CERTIFIED MAIL

9500 1670 0008 4483 0961
 9500 1670 0008 4483 0961

Postage	\$.34
Certified Fee	2.10
Return Receipt Fee (Enclosurement Required)	1.50
Restricted Delivery Fee (Enclosurement Required)	—
Total Postage & Fees	\$ 3.94

Sent by: Chris and Pauline Gianulias
 3220 Province Towne Court



DECLARATION OF POSTING

Continued Public Hearing to July 17, 2002 to consider an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for property located at 100 N. Cherokee Lane, Lodi

On Thursday, June 6, 2002 in the City of Lodi, San Joaquin County, California, a copy of Notice of Continued Public Hearing to July 17, 2002 to consider an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for property located at 100 N. Cherokee Lane, (attached hereto, marked Exhibit "A") was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

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

Executed on June 6, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**



Jacqueline L. Taylor
Deputy City Clerk

Jennifer M. Perrin
Deputy City Clerk



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF CONTINUED PUBLIC HEARING

Date: July 17, 2002

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF CONTINUED PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the June 5, 2002 public hearing of the City Council of the City of Lodi to consider public comments/testimony regarding an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for property located at 100 N. Cherokee Lane, Lodi, was opened and **continued to Wednesday, July 17, 2002**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, in the Lodi Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California.

Information regarding this item may be obtained in the office of the Community Development Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: June 6, 2002

Approved as to form:

Randall A. Hays
City Attorney

DECLARATION OF POSTING
NOTICE OF CONTINUED PUBLIC HEARING
OF THE CITY COUNCIL OF THE CITY OF LODI

I, Susan J. Blackston, hereby certify that on June 6, 2002 I posted "NOTICE OF CONTINUED PUBLIC HEARING OF THE CITY COUNCIL OF THE CITY OF LODI to consider public comments/testimony regarding an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for property located at 100 N. Cherokee Lane, Lodi", near the Council Chamber door; that said Notice remained posted until after the hour set for said hearing, as shown on said Notice.

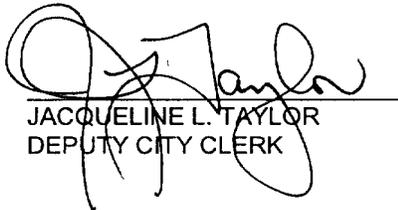
A copy of said "NOTICE OF CONTINUED PUBLIC HEARING" as posted near the Council Chamber door, is shown on the attached and is made a part of this Certificate of Posting.

Dated: June 6, 2002
(Date Posted - Must be within 24 hours)

ORDERED BY:

SUSAN J. BLACKSTON
CITY CLERK OF THE CITY OF LODI

ORDERED BY:



JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF CONTINUED PUBLIC HEARING

Date: July 17, 2002

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF CONTINUED PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the June 5, 2002 public hearing of the City Council of the City of Lodi to consider public comments / testimony regarding an appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair issued for property located at 100 N. Cherokee Lane, Lodi, has been **continued to Wednesday, July 17, 2002**, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard in the Lodi City Council Chambers, Carnegie Forum, 305 W. Pine Street, Lodi, California.

Posted June 6, 2002

SUSAN J. BLACKSTON
CITY CLERK
of the City of Lodi

CITY OF LODI

CITY HALL, 221 W. PINE ST.
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

Office of the Lodi City Clerk



Return to Sender

ATTEMPTED
NOT KNOWN

Valley Telephone
100 N. Cherokee Lane
Suite #2
Lodi, CA 95240

APR 22

CAFYNNB 55240



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

- also complete the following services (for extra fee):
- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:
 Chris and Pauline Gianulias
 3220 Province Towne Court
 Modesto, CA 95355

4a. Article Number
 7000 1670 0008 4483 1027

4b. Service Type Return Receipt
 Registered Requested Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 4/19/02

5. Received By: (Print Name)
 [Signature]

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)
 X

Thank you for using Return Receipt Service

PS Form 3811, December 1994

Domestic Return Receipt

UNITED STATES POSTAL SERVICE



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

• Print your name, address, and ZIP Code in this box •

Susan J. Blackston
 Lodi City Clerk
 P.O. Box 3006
 Lodi, CA 95241-1910

MAILING LIST

Set Public Hearing for June 5, 2002 to consider appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair for the property located at 100 N. Cherokee Lane, Lodi

Owners of Record:

Chris and Pauline Gianulias
3220 Province Towne Court
Modesto, CA 95355

Property Tenants:

Franco's Pizza
100 N. Cherokee Lane
Suite #1
Lodi, CA 95240

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100 N. Cherokee Lane
Suite #2
Lodi, CA 95240

APNA Mart
100 N. Cherokee Lane
Suite #3
Lodi, CA 95240

Havatan
100 N. Cherokee Lane
Suite #6
Lodi, CA 95240

Note: Suites 4 & 5 are either vacant or combined and therefore have not been designated as a part of this mailing list at the direction of the Community Improvement Manager.

MAILING LIST

Set Public Hearing for June 5, 2002 to consider appeal from Chris and Pauline Gianulias regarding Notice and Order to Repair for the property located at 100 N. Cherokee Lane, Lodi

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