



Citation No: PDS2013-ENFCIT-000233

County of San Diego, Planning and Development Services  
**ADMINISTRATIVE CITATION**  
CODE ENFORCEMENT DIVISION

Issuance Date: 08/02/2013 Case Number: PDS2013-ENFCIT-000233

**1st Citation**     2nd Citation     3rd Citation     4th and Subsequent Citations  
**\$100**                      \$200                      \$500                      \$1000

**IF YOU FAIL TO CORRECT THE VIOLATIONS, THE NEXT LEVEL CITATIONS MAY BE ISSUED.  
CITATIONS MAY BE ISSUED UP TO \$10,000 UNTIL THE VIOLATION(S) ARE CORRECTED**

Payment of \$100 is due no later than 09/02/13. (See reverse side for payment instructions)

The Building Official may suspend or refuse to issue building permit until all violations are corrected  
(County Regulatory Code Section 91.1.114.5)

Person Cited: BURKE TERRENCE T	<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Business Owner <input type="checkbox"/> Owner
Mailing Address: 1527 WINTERWARM DR, FALLBROOK, CA 92028	Business Name (If Applicable)
Violation Address: 1527 WINTERWARM DR, FALLBROOK CA, 92028-9679	Assessor's Parcel Number: 123-060-65-00

**Date of Violation: Code Section Violated and Description**

SDCZO Section 7703 to wit: 2700 to 2705 Limited Agricultural Use Regulations

Corrections Required: See enclosed Corrections Required

ENFORCING OFFICER:	CALL FOR APPOINTMENT	Phone: 760-940-2913
Name: Thomas Causey	Signature: <i>Thomas Causey</i>	Date: 8/2/13

PERSON CITED: BURKE TERRENCE T	Signature:	Date:
Citation Served: By: <i>Thomas Causey</i>	<input type="checkbox"/> In Person To:	<input type="checkbox"/> Posted on Property <input checked="" type="checkbox"/> By Mail <input type="checkbox"/> Other

READ REVERSE SIDE

PDS-621 (Revised 12/11)

PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 110 SAN DIEGO, CA 92123 • (858) 694-2705 • SDCCE.ORG

## ADMINISTRATIVE CITATIONS

County Code Section 18.104 provides for the issuance of administrative citations for County Code violations. There are four levels of citations that can be issued progressively for a violation. The fines, as indicated on the front of the citation, are \$100 for the First Citation, \$200 for the Second Citation, \$500 for the Third Citation, and \$1000 for the Fourth Citation and subsequent Citations. These fines are cumulative.

## ORDER

You are ordered to:

- (1) immediately cease committing the code violation(s) listed on the front of this citation, and
- (2) not repeat the violation(s)

## RIGHTS OF APPEAL

You have the right to appeal this administrative citation within 14 days from the date the citation was issued. An appeal must be made on a Request for Hearing form and include a return address, a basis for the appeal in detail, and be accompanied by the fine amount. Forms may be obtained from the issuing officer designated on the front or by accessing our website at [http://www.sdcounty.ca.gov/pds/ce5/PDS\\_Admin\\_Citation\\_Appeal\\_Request.pdf](http://www.sdcounty.ca.gov/pds/ce5/PDS_Admin_Citation_Appeal_Request.pdf)

An appeal will result in an administrative hearing.

Failure of any person to properly file a written appeal within 14 days shall constitute a waiver of his or her right to an administrative hearing and adjudication of the administrative citation and you will forfeit any fine paid.

## HOW TO PAY FINE

The amount of the fine is indicated on the front of this administrative citation and is due within 30 days of the issue date of the citation. You may pay by mail or in person at the address listed below. Payments must be made by personal check, cashier's check or money order payable to the County of San Diego. Please write the citation number on your check or money order:

County of San Diego  
PLANNING & DEVELOPMENT SERVICES  
5510 OVERLAND AVENUE, SUITE 110  
SAN DIEGO, CA 92123  
ATTN: Cashier

If the fine is not paid within 30 days of the issue date of the citation, you will receive a Delinquent Notice from the Finance Department and there will be a 50% penalty fee assessed in addition to the original fine.

If you need further clarification about payment of the citation please call (858) 694-2705.

**Payment of any fine shall not excuse the failure to correct the violation nor shall it bar further enforcement by the County.**

## CONSEQUENCES OF FAILURE TO PAY THE FINE

The failure of any person to pay the fine assessed by an administrative citation within 30 days of the issuance date of the citation or the due date on Delinquent Notice may result in a lien against your property, turning the account over to a collection agency, filing a claim with the Small Claims Court or any legal remedy to collect such money. The County has the authority to collect all costs associated with the filing of such actions.

## CONSEQUENCES OF FAILURE TO CORRECT VIOLATIONS

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, assessment of civil penalties, recording the violation with the County Recorder and forfeiture of certain State tax benefits for substandard residential rental property.

If you need further information about the violations and/or how to comply, please call the officer designated on the front of this form.

## CORRECTIONS REQUIRED:

Code Enforcement received a complaint from a neighbor regarding the property you own, located at 1473 Winterwarm Dr, Fallbrook, CA. As the property owner you are responsible for the violations on your property. Code Enforcement investigated the nature of the complaint and confirmed its existence. You were sent an Administrative Warning on July 11, 2013 giving you until July 24, 2013 to cease the non-allowed use of your parcel.

As of August 2, 2013 the violation continues. I am now issuing you Administrative Citation PDS2013-ENFCIT-000233

The violation is as follows:

SDCZO Section 7703 to wit: 2700 to 2705 Limited Agricultural Use Regulations

Transient habitation: Rental Units is defined as residences, condominiums, apartments and townhomes that are rented on a daily, weekly, or monthly bases and the rental unit is not occupied by the property owner and nor is the rental unit the primary or permanent residence of the occupant per Zoning Ordinance 1545d.

Transient habitation: Rental Units as defined in section 1545d of the Zoning Ordinance is classified as a commercial use. Your parcel is zoned A70, Limited Agricultural Use. As such you are allowed a limited number of commercial uses. Maintaining Transient habitation: Rental Units as defined under Zoning Ordinance 1545d is not one of the commercial uses allowed on your parcel.

You must cease the renting of your property at 1473 Winterwarm Dr, Fallbrook, CA as Transient habitation.

I am willing to meet with you to go over these violations in order to bring your parcel into compliance. Please, if you wish to meet, call me at your earliest convenience so that we can address these issues in a timely manner. Additionally, I am available to meet on any Monday or Thursday at the Fallbrook Sheriff's Station, 388 E Alvarado St, Fallbrook, from 0830 hours to 1230 hours.

The Regulatory Ordinance and the Zoning Ordinance along with general information on the Code Enforcement Division can be found on the internet at <http://www.sdcce.org>.

Be advised as the property owner it is your responsibility to comply with all County of San Diego Zoning ordinances and Building regulations. I advise you to contact the County of San Diego Zoning Department (888-267-8770) or the Building Department (888-336-7553) prior to making any changes or additions to your property. I also advise you to request any approvals for changes or additions to your property to be in writing along with the date and name of the employee making the approval. It is in your best interest to obtain the approvals prior to preparing plans or making changes or additions to your property.

Failure to correct a violation of the San Diego County Zoning Ordinance and/or the San Diego County Code of Regulatory Ordinances may result in additional actions by this Department and fines.