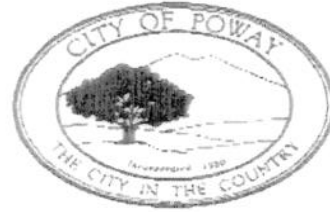


PROSECUTION TEAM
REBUTTAL TO MORITZ ARGUMENT

Attachment No. 4

FAX TRANSMITTAL



CITY OF POWAY
13325 Civic Center Drive
Poway, CA 92064
PHONE: (858) 668-4663
FAX: (858) 668-1212

To: Chris Means, Environmental Specialist Date: June 27, 2008

Fax#: 571-6972 Pages including cover sheet: 3

From: Tomás Borobia
Code Compliance Officer

Phone #: 858-668-4663

Subject: Jerome Drive Notices of Violation

COMMENTS: Here are the copies of the letters sent on May 19, then May 28. The second was a clarification of the first after it became clear that he was taking the 1st letter out of context and proceeding without the permits he knew he was supposed to obtain.

Cc:

IF FOR ANY REASON YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL (858) 668-4451 AS SOON AS POSSIBLE.

NOTE: The information contained in this transmission is intended solely for the use of the individual or entity named above. If you are not the intended recipient you are hereby notified that any reading, dissemination, distribution or copying of this transmission is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original communication to us at: City of Poway, P.O. Box 789, Poway, California 92074 via the United States mail. We will reimburse you for the mailing costs. Thank you.

By: [Signature] 6/27/08
T. Borobia 2:53

POWAY, CA 92064

CITY OF POWAY

MICKEY CAFAGNA, Mayor
BOB EMERY, Deputy Mayor
MERRILEE BOYACK, Councilmember
DON HIGGINSON, Councilmember
BETTY REXFORD, Councilmember



May 28, 2008

SECOND NOTICE OF VIOLATION

Property Owner

Bill and Lori C. Moritz
14272 Jerome Drive
Poway, CA 92064

Subject: Cease and Desist Illegal Grading at 14272 Jerome Drive (APN: 321-040-49)

Dear Mr. and Mrs. Moritz:

On February 8, 2008, you were issued a "Stop Work Notice" for illegal grading work being conducted at the above referenced premises. In April 2008 you submitted a conceptual drawing of your property illustrating a stream. On April 24, 2008 you received a "Correct Work Notice" to restore the stream to its original elevation and condition. On May 19, 2008, a Notice of Violation letter was sent to you to correct the violations on your property by June 2, 2008. An inspection on your property was performed on May 27, 2008 which revealed the illegal installation of a corrugated drain pipe and illegal grading on your property. The installation of the drain pipe and grading were not approved by the City of Poway and are in violation of Poway Municipal Code, Sections 16.42.010, 16.58.020 and 16.58.030.

In order to correct these violations, all grading activities must cease and desist immediately. You have been advised the work you are doing requires a grading permit from the City of Poway. The installation of storm water control measures are required immediately. Please contact Don Sharp, lead Engineering Inspector at (858) 668-4631 for an inspection once the emergency measures are installed. Please contact Sam Tadros, Land Development Engineer, at (858) 668-4652 by **May 29, 2008** to schedule a meeting to discuss how to rectify this matter.

Thank you for your cooperation. I may be reached at (858) 668-4663 or (858) 668-4668. My fax number is (858) 668-1212.

Sincerely,

DEVELOPMENT SERVICES DEPARTMENT


Marc W. LeDrew
Code Compliance Officer

c: Danis Bechter, Engineering Inspection Supervisor
Sam Tadros, Development Services, Land Development Engineer
Don Sharp, Lead Inspection Supervisor
Chiara Clemente, Senior Environmental Scientist, RWQCB

M:\planning\Marc\Marc letters\Permits\Grading.docx

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789 • (858) 668-4400