

1 WHEREAS, on September 25, 2025, the Building Official reviewed the request and provided
2 a memorandum denying the request based on the lack of evidence that a JADU was constructed before
3 January 1, 2020; and

4 WHEREAS, on October 31, 2024, Robert Ingram, Middle Housing Partners (“Appellant”)
5 filed with the office of the City Attorney an appeal to the Building Appeals Board requesting a review
6 and reversal of the decision previously made by the Chief Building Official denying the provisions
7 of Government Code 66332 on an unpermitted Junior Accessory Dwelling Unit at 1443 N. Riverside,
8 Rialto, CA 92335. (“Appeal”); and

9 WHEREAS, on November 20, 2025, the office of the City Attorney notified the appellant via
10 email of the Building Appeals Board public hearing of the Appeal to be held on December 17, 2025;
11 and

12 WHEREAS, on December 17, 2025, the Building Appeals Board opened the public hearing
13 of the Appeal, took testimony, discussed the Appeal; and closed the public hearing; and

14 WHEREAS, on December 17, 2025, after closing the public hearing, the Building Appeal
15 Board voted 5-0 to deny the Appeal, and uphold the Building Officials decision to decline the
16 provision of Government Code 66332; and

17 WHEREAS, this Resolution as presented, memorializes and ratifies the Building Appeal
18 Boards decision of December 17, 2025; and

19 WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

20 WHEREAS, the Building Appeal Boards hearing of the Appeal is *de novo* and its decision is
21 final and with prejudice.

22 NOW, THEREFORE, the Building Appeals Board hereby finds, determines, and resolves as
23 follows:

24 SECTION 1. The Building Appeals Board hereby specifically finds that all the facts set forth
25 in the recitals above of this Resolution are true and correct and incorporated herein.

26 SECTION 2. As the Building Appeals Board has voted to deny the appeal, the Board upholds
27 the Building Officials decision to decline the provision of Government Code 66332. Under
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1 Government Code 66332, the applicant must prove that the JADU in question was constructed prior
2 to January 1, 2020.

3 SECTION 3. Based on evidence presented to the Building Appeals Board with regard to the
4 unpermitted JADU at 1443 N. Riverside, Rialto, CA 92503, including written staff reports, verbal
5 testimony, and other documents, the Building Appeals Board hereby determines that the appeal to
6 apply Government Code 66332 does not satisfy the requirements of said code and that it could not
7 be substantially proven that the JADU in question was in existence or constructed prior to January 1,
8 2020.

9 SECTION 4. The Building Appeals Board hereby denies the Appeal, and Upholds the
10 previous decision of the Chief Building Official to deny applying the provisions of Government Code
11 66332 to the unpermitted JADU at 1443 N. Riverside, Rialto, CA 92335, on the grounds that it could
12 not be determined or proven that the JADU was in existence or constructed before January 1, 2020,
13 and that the JADU does not comply with the required findings necessary for approval contained in
14 Government Code 66332.

15 SECTION 5. The Building Appeals Board chair shall sign as to the passage and adoption of
16 this resolution and thereupon the same shall take effect and be in force.
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18 PASSED, APPROVED AND ADOPTED this 17th day of December, 2025.

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21 _____
22 MICHAEL E. STORY, CHAIR
23 CITY OF RIALTO BUILDING APPEALS BOARD
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1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)
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5 I, Heidy Gonzalez, Administrative Assistant of the City of Rialto, do hereby certify that the
6 foregoing Resolution No. ____ was duly passed and adopted at a regular meeting of the Planning
7 Commission of the City of Rialto held on the ____th day of ____, 2025.

8 Upon motion of Planning Commissioner_____, seconded by Planning Commissioner
9 _____, the foregoing Resolution No. ____ was duly passed and adopted.

10 Vote on the motion:

11 AYES:

12 NOES:

13 ABSENT:

14 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
15 Rialto this ____th day of ____, 2025.

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HEIDY GONZALEZ, ADMINISTRATIVE ASSISTANT

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