

CITY OF TEMPE HEARING OFFICER

Meeting Date: 02/06/2024

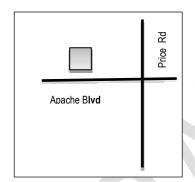
Agenda Item: 2

ACTION: Request approval to abate public nuisance items at the YANEZ Property located at 2117 E. Howe Ave. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$6,861.00 for abatement request: Remove junk and debris and dead tree.

RECOMMENDATION: Staff – Approval of 180-day open abatement

BACKGROUND INFORMATION: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the YANEZ property. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE233033: Removal of junk and debris and removal of dead tree



Property Owner Joe Yanez

Applicant City of Tempe – Code Compliance
Zoning District: R1-6- Single Family Residential District

Code Compliance Andres Lara-Reyes Inspector:

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Jack Scofield, Code Administrator (480-350-8967)

Department Director: Jeffrey Tamulevich, Department Director

Legal review by: N/A

Prepared by: Shawn Daffara, CPTED Coordinator Reviewed by: Jack Scofield, Code Administrator

COMMENTS:

Code Compliance is requesting approval to abate the YANEZ PROPERTY located 2117 E. Howe Ave. in the R1-6 Single Family Residential District. This case was initiated 05/18/2023, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

Without the intervention of abatement, the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve a 180-day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

HISTORY & FACTS:

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

Planning Application Part 1 of 2

City of Tempe
Community Development Department
31 East 5th Street, Garden Level, Tempe, Arizona 85281
(480) 350-4311 Fax (480) 350-8677
Planning Fax (480) 350-8872
http://www.tempe.gov/planning



All applications must be accompanied by the required plans, submittal materials, and correct fee(s)

PROJECT INFORMATION – REQUIRED

	PROJECT NAME	JOE YANEZ		11100201	THE OTHER	HOW REGORED	EXISTING ZONING	R1-6		
	PROJECT ADDRESS	2117 E HOWE AVE TEMP	E 8528	31			SUITE(S)		33	
PR	OJECT DESCRIPTION	TRASH, LITTER, DEBRIS	; DEAD	TREE			PARCEL No(s)	132-72-0	005	
		HEARING DATE: FEBRU								
					REQUIRED	(EXCEPT PRELIMINARY S	SITE PLAN REVIEW)			
	BUSINESS NAME	JOE YANEZ			ADDRESS		,,,_,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
	CONTACT NAME				CITY	TEMPE 85281	STATE	AZ	ZIP	_
	EMAIL			-	PHONE 1		PHONE 2			
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		PROPERT	Y OWNE	R SIGNATURE	Х	ty or rempe.		DATE		_
- 4.0	or attach written staten	nent authorizing the applicant t	o file the			TION – REQUIRED				
CO	MPANY / FIRM NAME	CITY OF TEMPE		ALL FIGURE	ADDRESS					
	CONTACT NAME	ANDRES LARA-REYES			CITY		STATE		ZIP	
	EMAIL	ANDRES LARA-RETES			PHONE 1		PHONE 2			_
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inc	omplete it will be r	eturned to me without rev	iew, to	be resubmit	ted with an	are complete. I acknowled by missing information.	ige that if the applica	ition is de	emea to be	
		AF	PLICAN	IT SIGNATURE	X	when I		DATE 12/28/2023		
		BUSINES	S INFO	RMATION -		FOR USE PERMITS & SIG	GN DPRs			
	BUSINESS NAME				ADDRESS					
	CONTACT NAME				CITY		STATE		ZIP	
	TYPE OF BUSINESS				PHONE		EMAIL			
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	C. VARIANCES						VAR			
	D. USE PERMITS /	USE PERMIT STANDARDS					ZUP			
	E. ZONING CODE	AMENDMENTS					ZOA	ZO	ON	
	F. PLANNED ARE	A DEVELOPMENT OVERLAYS				4	PAD	RE	C	
	G. SUBDIVISIONS	/ CONDOMINIUMS					SBD	RE	C	
	H. DEVELOPMENT	PLAN REVIEW					DPR		P. T. P.	
	I. APPEALS									
	J. GENERAL PLAI	N AMENDMENTS					GPA			
	K. ZONING VERIFI	CATION LETTERS			-		ZVL		with the	
Ø	L. ABATEMENTS						CE	CN	A	
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	PL TRACKING #			M TRACKING #		(2171111)	7.1.57		(-17)	
	SPR TRACKING # (if 2nd or 3nd submittal.				Child		TOTAL APPLICA	3	Ξ.	
	planning resubmittal				434		RECEIVED BY II	TAKE STA	FF (INITIALS)	g
	form)	THE STATE OF THE S			Sam					



DATE:

December 28, 2023

TO:

Jack Scofield, Senior Code Inspector

FROM:

Andres Lara-Reyes, Code Inspector

SUBJECT:

CE233033, **JOE YANEZ Property Abatement**

LOCATION: 2117 E HOWE AVE TEMPE AZ 85281

PARCEL:

132-72-005

OWNER:

JOE YANEZ

2117 E HOWE AVE **TEMPE. AZ 85281**

FINDINGS:

05/18/2023 The Code Compliance Division received a complaint for person(s) living in vehicles and structures in the rear yard; trash, litter, debris; inoperable vehicles.

05/19/2023 Inspected the property and observed trash, litter, debris, trash bags. buckets, discarded door, scrap in the front yard area, trailer in the front yard setback driveway. Notice to comply mailed to the owner.

6/22/2023 observed grocery carts in the front yard; utility trailer in the driveway remains; no changes in the back yard trash, litter, debris, scrap, bicycle parts, metals, wood door, grocery cart, an appliance, mattresses, buckets. Final notice mailed.

7/6/2023 Inspected the property & observed improvements done, a lot of trash & debris thrown in the alley & City trash bins - will monitor for completion spoke to Efrain in the back yard, a lot of the remaining items will be removed today, will swing by next week, he understood.

7/13/2023 observed no changes or improvements done. 1st citation issued & mailed for trash, debris & a trailer in the front yard setback driveway, owner to pay fine or request a hearing by 07/27, need to provide proof or registration or remove a light brown SUV vehicle parked in the driveway - notice mailed for the vehicle.

7/24/2023 driving by the property i was waved by Brandon Hale (owners grandson. explained that a citation has been issued for the front & back yards. he stated that the vehicle & the trailer in the driveway will be gone. he is helping out with the clean up. explained guidelines, he can keep in the back yard patio furniture, bicycles for personal use, lawn equipment for the home, anything else must be stored in a shed or

removed from the property.

7/27/2023 Received complaint for trash in the front and rear yards, inop/unreg veh in driveway, and persons living in vehicles and structures in the rear yard.

8/28/2023 improvements made, trailer in the driveway removed; SUV vehicle remains in the driveway; back yard & alley most cleaned up - will monitor for completion

9/13/2023 no major improvements done, trash in back yard; inop/unreg vehicle in driveway remain. 2nd citation issued.

10/17/2023 3rd citation posted & emailed to pay fine or request a civil hearing by 10/30.

12/28/2023 revised notice of intent to abate mailed & posted to the property for trash, litter, debris & a dead tree.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 2117 E HOWE AVE due to property owner's failure to bring property into compliance with Tempe City Code CC 21-3.b.1 & CC 21-3.b.8. The owner Mr. JOE YANEZ was given ample time to come into compliance and maintain the property. The property owner has been issued several civil citations and has failed to appear to court. There has been no indication that the property owner will bring the property into compliance. The property represents a health hazard and an eyesore to the community.

Without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Andres Lara-Reyes
Code Inspector

ACTION TAKEN: Suhmit

NAME

DATE:



REVSED NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 12/28/2023 CASE #: CE233033

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

LOCATION: 2117 E HOWE AVE TEMPE, AZ 85281

PARCEL: 13272005

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers *February 6, 2024*. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof

not enclosed by the walls, doors or windows of any building

CC 21-3.b.8 Any landscaping, visible from public property, that is substantially dead, damaged, or

characterize by uncontrolled growth; or any dead trees, bushes, shrubs or portions thereof,

including stumps

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below. If the violation(s) have not been corrected, our office will proceed with the abatement process.

CC 21-3.b.1 Please remove all trash, litter, debris, scrap, bicycle parts, metals, wood, any

appliances, mattresses, buckets, trailers, furniture in the front and back yards.

CC 21-3.b.8 Please remove or cut to ground level the dead tree in the front yard.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$6861.00. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate of judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480)350-4311.

Code Inspector: Andres Lara-Reyes Phone Number: 480-350-8963

E-mail: andres lara-reyes@tempe.gov



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 11/30/2023 CASE #: CE233033

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

LOCATION: 2117 E HOWE AVE TEMPE, AZ 85281

PARCEL: 13272005

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers *January 16, 2024*. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof

not enclosed by the walls, doors or windows of any building

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below. If the violation(s) have not been corrected, our office will proceed with the abatement process.

CC 21-3.b.1 Please remove all trash, litter, debris, scrap, bicycle parts, metals, wood, any appliances, mattresses, buckets, trailers, furniture in the front and back yards.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be \$5911.00. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate of judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

If you have questions regarding this matter, please contact our office at (480)350-4311.

Code Inspector: Andres Lara-Reyes Phone Number: 480-350-8963

E-mail: andres lara-reyes@tempe.gov



December 17, 2023

City of Tempe

Attn: Andres Lara-Reyes Code Compliance Inspector

RE: Clean-Up at 2117 E. Howe Ave.

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 2117 E. Howe Ave, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

- Remove trash and debris from the front and backyard
- Cut down 1 dead tree to ground level in the front yard
- Haul off debris
- Police presence on-site for duration of visit

Total: \$6,861.00

Respectfully,

Jose Hernandez



November 27, 2023

City of Tempe

Attn: Andres Lara-Reyes Code Compliance Inspector

RE: Clean-Up at 2117 E. Howe Ave.

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 2117 E. Howe Ave, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

- Remove trash and debris from the front and backyard
- Haul off debris
- Police presence on-site for duration of visit

Total: \$5,911.00

Respectfully,

Jose Hernandez

P. O. Box 2320, Chandler, AZ 85244-2320 PH: 480-821-4966 FAX: 480-964-5191 ROC 172763 / ROC 208414 / ROC 257425

Crime Clean Decontamination, LLC

Specializing in biohazardous (infectious) waste remediation 24-hour emergency response-602.692.3492 ROC#274258 B ROC#236011 L-61 17231 North 26th Street Phoenix, Arizona 85032 Phone 602.692.3492 Fax 602.992.1796

Proposal: #111423

TO: City of Tempe
Andres Lara-Reyes
Code Compliance Division
2117 East Howe Avenue
Tempe, AZ 85281

November 14, 2023

2117 East Howe Avenue Tempe, AZ 85281

4 employees 4 hours at \$135.00per hour+ \$2,160.00

40 yard roll off dumpster \$ 550.00

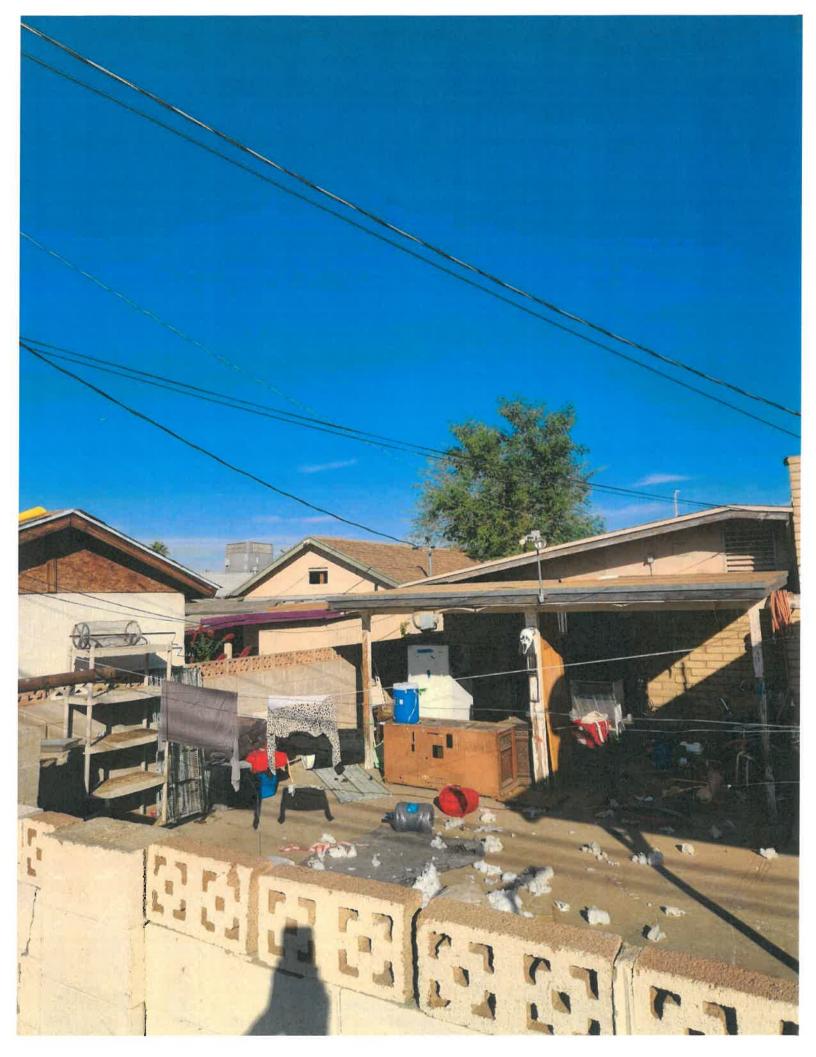
Police officer \$80.00 hour x 4 \$ 320.00

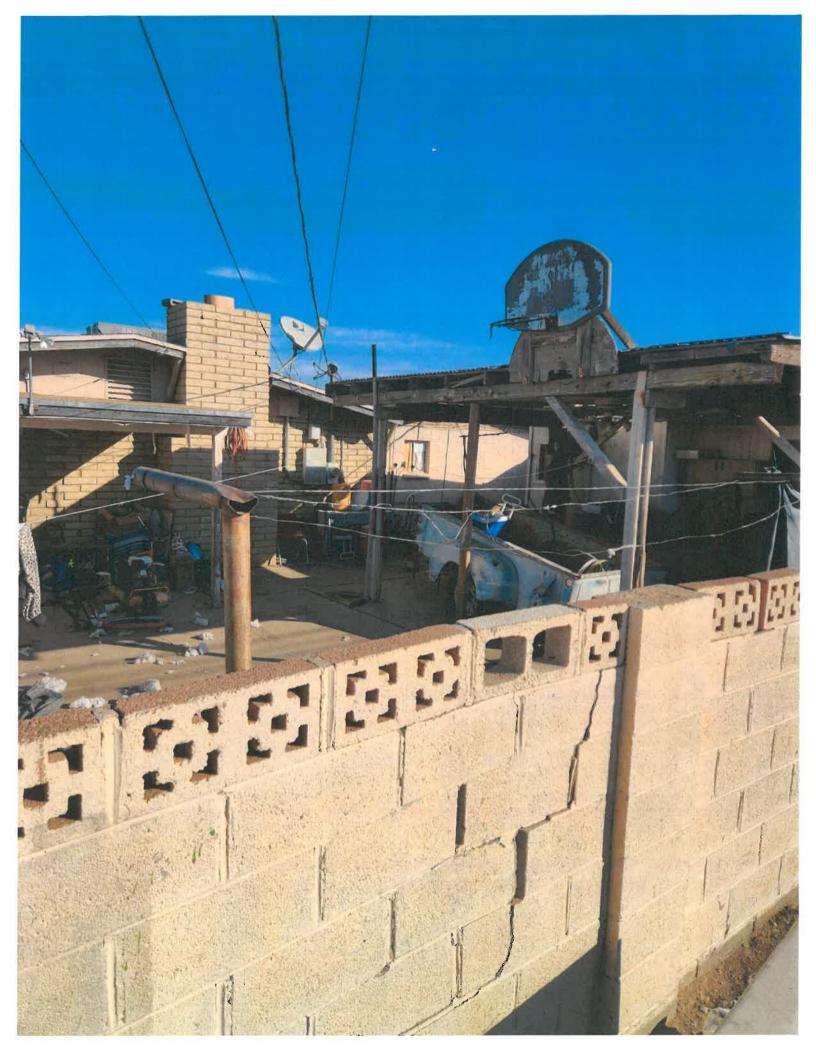
Total \$2,790

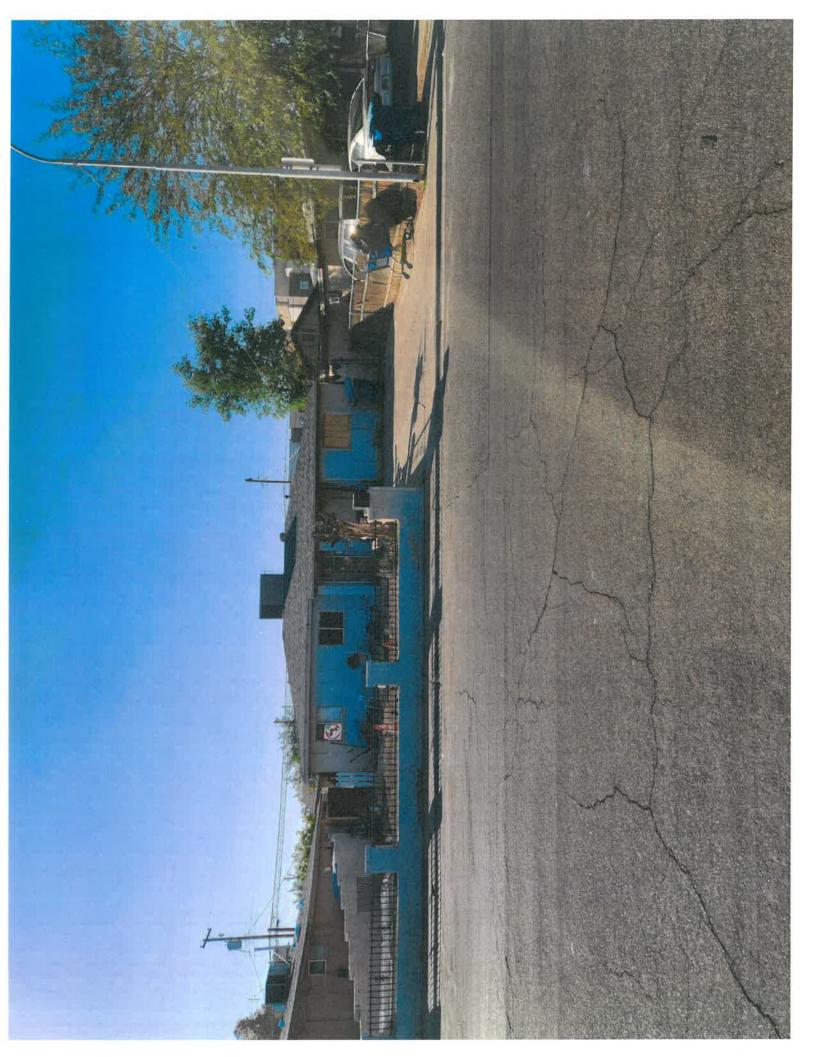
Total: \$3,030.00

Make all checks payable to Crime Clean Decontamination, LLC EIN#35-2298388

Crime Clean Decontamination, LLC is a licensed, bonded, insured, HAZWOPER certified biohazardous remediation Contractor. We are on call 24-hours a day, 365 days of the year.









COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE REVISED CORRECTION NOTICE

05/22/2023

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

Case #: CE233033

Site Address: 2117 E HOWE AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 05/22/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation												
CC 21-3.b.1 Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items													
ZDC 4-602.B.7	Section 4-602 General Parking Standards. B. Parking Standards Applicable in All Zoning Districts. 7 Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and trailers shall not be parked in the required front yard building setback or required street side yard setback, except for periods of up to forty-eight (48) hours within seven (7) consecutive days for the purpose of loading, unloading and cleaning												
PLEASE TAKE THE	FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER											
CC 21-3.b.1	Please remove all trash, litter, debris, trash bags, buckets, discarded door, scrap in the front yard area of the property.	06/22/2023											
CC 21-3.b.1	Please remove all trash, litter, debris, scrap, bicycle parts, metals, wood door, grocery cart, an appliance, mattresses, buckets in the back yard.	06/22/2023											
ZDC 4-602.B.7	Please remove the utility trailer from the driveway and relocate it into an enclosed area. All trailers must be parked behind the front yard setback.	06/22/2023											

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-4311 Email:andres_lara-reyes@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b). Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

06/22/2023

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

Case #: CE233033

Site Address: 2117 E HOWE AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 06/22/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items
ZDC 4-602.B.7	<u>Section 4-602 General Parking Standards</u> . B. Parking Standards Applicable in All Zoning Districts.7. Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and <i>trailers</i> shall not be parked in the required front yard <i>building</i> setback or required <i>street</i> side <i>yard</i> setback, except for periods of up to forty-eight (48) hours within seven (7) consecutive days for the purpose of loading, unloading and cleaning.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION									
CC 21-3.b.1	Please remove any grocery cart(s) in the front yard area of the property.	7/6/2023							
CC 21-3.b.1	Please remove all trash, litter, debris, scrap, bicycle parts, metals, wood door, grocery cart, an appliance, mattresses, buckets in the back yard.	7/6/2023							
ZDC 4-602.B.7	Please remove the utility trailer from the driveway and relocate it into an enclosed area. All trailers must be parked behind the front yard setback.	7/6/2023							

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector Direct: 480-350-8963

Code Compliance: 480-350-4311 Email:andres_lara-reyes@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b). Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-36; 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation.] Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines.] Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE CORRECTION NOTICE

07/13/2023

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

Case #: CE233033

Site Address: 2117 E HOWE AVE, TEMPE, AZ 85281

in the driveway.

This is a notice to inform you that this site was inspected on 07/06/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation											
CC 21-3.b.2	Exterior areas used or maintained as junkyards or dumping grounds, except: a. Any automobile wrecking yard or other junkyard where the same are permitted by the city zoning regulations; or											
	 The disassembling, repair, rebuilding, storage or keeping of vehicles, machinery or any of the parts thereof on any farm or ranch where such disassembling, repair, rebuilding, storage or keeping are customary and incidental to such farming or ranching activities 											
CC 21-3.b.3	Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roo enclosed by walls, doors or windows of any building on any lot,	f area not										
PLEASE TAKE	THE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER										
CC 21-3.b.3	Please provide proof of registration or remove a light brown SUV vehicle parked	7/27/2023										

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector Direct: 480-350-8963

Code Compliance: 480-350-4311 Email:andres_lara-reyes@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b). Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-36; 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

07/28/2023

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

Case #: CE233033

Site Address: 2117 E HOWE AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 07/28/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.3	An inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed
ZDC 3-102	Violation of the Zoning and Development Code Section 3-102 Permitted Uses in Residential Districts Multi-family dwelling on a single-family lot is not a permitted use
ZDC 3-416.A	A. Dwelling. A mobile home, recreational vehicle, or similar vehicle shall not be considered a dwelling unit, nor occupied as such, unless located in a trailer or mobile home park, except as noted herein.
CC 21-3.b.1	Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items
ZDC 4-602.B.7	Section 4-602 General Parking Standards. B. Parking Standards Applicable in All Zoning Districts.7. Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and trailers shall not be parked in the required front yard building setback or required street side yard setback, except for periods of up to forty-eight (48) hours within seven (7) consecutive days for the purpose of loading, unloading and cleaning.

PLEASE TAKE T	HE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER
CC 21-3.b.3	Please provide proof of registration or remove a light brown SUV vehicle parked in the driveway.	8/11/2023
ZDC 3-102	Our office received a complaint for people residing in structures and vehicles in the back yard. Please cease the use of structures or vehicles as a living quarter in a single family residential district.	8/11/2023
ZDC 3-416.A	Our office received a complaint for people residing in vehicles in the back yard. Please cease the use of vehicles as a living quarter in a single family residential district.	8/11/2023
CC 21-3.b.1	Please remove the remaining trash, litter, debris, scrap, bicycle parts, metals, wood, any appliance, mattresses, buckets in the back yard.	8/11/2023
ZDC 4-602.B.7	Please remove the utility trailer from the driveway and relocate it into an enclosed area. All trailers must be parked behind the front yard setback.	8/11/2023

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-4311 Email:andres_lara-reyes@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b). **Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation |Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

12/12/2023

JOE YANEZ 2117 E HOWE AVE TEMPE, AZ 85281

Case #: CE233033

Site Address: 2117 E HOWE AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 12/12/2023 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation											
CC 21-3.b.8 Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth; or any dead trees, bushes, shrubs or portions thereof, including stumps												
CC 21-35.f	CC 21-35.f Glazing. Glazed areas shall be soundly glazed and free from missing, loose, cracke glass that is likely to injure a person, allows the elements or vermin to enter the structual air escape or infiltration, or otherwise diminishes the thermal efficiency of the structual efficiency.											
PLEASE TAKE	THE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER										
CC 21-3.b.8	Please remove or cut to ground level the dead tree in the front yard landscape area.	12/26/2023										
CC 21-35.f	Please repair all broken windows in the front elevation of the home.	12/26/2023										

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Andres Lara-Reyes Code Inspector

Direct: 480-350-8963

Code Compliance: 480-350-4311 Email:andres_lara-reyes@tempe.gov

Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b). **Civil and Criminal Penalties**

City Code: Section 21-3, subsections (b) 1-8, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation |Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation |Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. |Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. |Section 21-25: \$1,050 per violation. |Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. |The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County
State of Arizona



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If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.

COMPLAINT



Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County State of Arizona



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COMPLAINT

If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.



Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County State of Arizona



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If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.

COMPLAINT

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