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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 03/05/2024  
Agenda Item: 2**

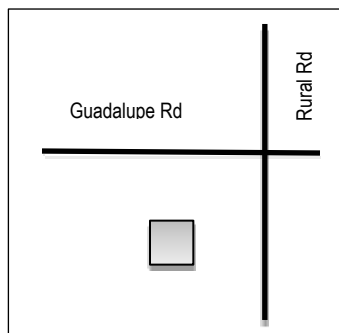
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**ACTION:** Request approval to abate public nuisance items at the GRAFFIS PROPERTY located at 210 E. Vaughn Dr. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$503.40 for abatement request: Remove the inoperable/unregistered vehicles.

**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 GRAFFIS 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 CE207434.: Removal of the inoperable/unregistered vehicles



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

William Graffis  
City of Tempe – Code Compliance  
R1-6- Single Family Residential District  
Jeff Troy

**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 GRAFFIS PROPERTY located at 210 E. Vaughn Dr in the R1-6; Single Family Residential District. This case was initiated 10/05/2023, 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.

ABATEMENT

# Planning Application Submittal Form

Part 1 of 2

City of Tempe  
Community Development Department  
31 East 5<sup>th</sup> 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	WILLIAM GRAFFIS PROPERTY ABATEMENT	EXISTING ZONING	R1-6	<input type="checkbox"/>
PROJECT ADDRESS	210 EAST VAUGHN DRIVE TEMPE AZ 85283	SUITE(S)		<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CE207434 MARCH 05, 2024	PARCEL No(s)	301-47-429	<input type="checkbox"/>

### PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)

BUSINESS NAME	ADDRESS	210 EAST VAUGHN DRIVE					
CONTACT NAME	WILLIAM GRAFFIS	CITY	TEMPE	STATE	AZ	ZIP	85283
EMAIL	PHONE 1	PHONE 2					

I hereby authorize the applicant below to process this application with the City of Tempe.

PROPERTY OWNER SIGNATURE	X	DATE	
or attach written statement authorizing the applicant to file the application(s)			

### APPLICANT INFORMATION – REQUIRED

COMPANY / FIRM NAME	CITY OF TEMPE/COMM ENHANCEMENT	ADDRESS	21 E. 6TH STREET, SUITE 208				
CONTACT NAME	JEFF TROY	CITY	TEMPE	STATE	AZ	ZIP	85281
EMAIL	JEFFREY_TROY@TEMPE.GOV	PHONE 1	480-858-2189	PHONE 2			

I hereby attest that this application is accurate and the submitted documents are complete. I acknowledge that if the application is deemed to be incomplete it will be returned to me without review, to be resubmitted with any missing information.

APPLICANT SIGNATURE	X	DATE	1/30/24
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### BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs

BUSINESS NAME	ADDRESS			
CONTACT NAME	CITY	STATE	ZIP	
TYPE OF BUSINESS	PHONE	EMAIL		

<input checked="" type="checkbox"/>	APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See <a href="#">Planning &amp; Zoning Fee Schedule</a> for types)	FOR CITY USE ONLY (Planning record tracking numbers)	
<input type="checkbox"/>	A. PRELIMINARY SITE PLAN REVIEW			SPR	
<input type="checkbox"/>	B. ADMINISTRATIVE APPLICATIONS			ADM	
<input type="checkbox"/>	C. VARIANCES			VAR	
<input type="checkbox"/>	D. USE PERMITS / USE PERMIT STANDARDS			ZUP	
<input type="checkbox"/>	E. ZONING CODE AMENDMENTS			ZOA	ZON
<input type="checkbox"/>	F. PLANNED AREA DEVELOPMENT OVERLAYS			PAD	REC
<input type="checkbox"/>	G. SUBDIVISION / CONDOMINIUM PLATS			SBD	REC
<input type="checkbox"/>	H. DEVELOPMENT PLAN REVIEW			DPR	
<input type="checkbox"/>	I. APPEALS				
<input type="checkbox"/>	J. GENERAL PLAN AMENDMENTS			GPA	
<input type="checkbox"/>	K. ZONING VERIFICATION LETTERS			ZVL	
<input checked="" type="checkbox"/>	L. ABATEMENTS			CE	CM
<input type="checkbox"/>	M. SIGN TYPE K			GO	SE
TOTAL NUMBER OF APPLICATIONS		0			

### FOR CITY USE ONLY

DS TRACKING #	FILE APPLICATION WITH CE / CM / IP TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			TOTAL APPLICATION FEES
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



**DATE:** January 30, 2024  
**TO:** Jack Scofield, Community Enhancement Administrator  
**FROM:** Jeff Troy, Code Inspector  
**SUBJECT:** CE: 207434 210 East Vaughn Drive Tempe - Abatement

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**LOCATION:** 210 East Vaughn Drive, Tempe, AZ. 85283

**PARCEL:** 301-47-429

**OWNER:** William Graffis

**FINDINGS:**

On 10/05/2023, I inspected the property and found two unregistered/inoperable vehicles at the property. I sent William Graffis, the owner, a correction notice.

On 10/19/2023, I reinspected the property and found that the two vehicles were still unregistered and appeared inoperable.

On 10/23/2023, Mr. Graffis left me a message saying he would address the two vehicles in question.

I reinspected the property on 11/3/2023 and found that the two vehicles were still in violation. William Graffis left me a message and said he was out of town and would address the vehicles when he returned. Mr. Graffis never did address the violations with the two vehicles.

On 12/14/2023, I issued a citation to Mr. Graffis for unregistered/inoperable vehicles.

On 1/19/2024, I reinspected the property and found that Mr. Graffis did not correct the violations. As a result, I began the process of securing an abatement against the property at 210 East Vaughn Drive Tempe AZ 85283

**RECOMMENDATIONS:**


I recommend an abatement of the nuisance violations at the property at 210 East Vaughn Drive Tempe due to property owner's failure to bring property into compliance

with Tempe City Code 21-3.b.3 for Unregistered/ Inoperable Vehicles. The owner was given ample time to come into compliance and maintain the property. The citation was not contested nor satisfied with the courts. There is no indication that the property will be brought into compliance in the near future. The property represents 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,

Jeff Troy  
Code Inspector

ACTION TAKEN: Submit  
NAME   
DATE: 1/31/24



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 01/30/2024  
CASE # CE207434

**WILLIAM GRAFFIS  
210 EAST VAUGHN DRIVE  
TEMPE AZ 85283**

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

**LOCATION:** 210 East Vaughn Drive Tempe AZ 85283  
**PARCEL:** 30147429

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This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 02/06/2024. 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.3      Unregistered/Inoperable Vehicle

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

All vehicles out in the open must be registered and display current plates or tags. Please register and or display current tags for both vehicles in the driveway or remove the vehicle(s) from the front of the property. Vehicles must also appear to be in operable condition.

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 **\$503.40**. In addition to the actual cost of abatement, an administrative charge of fifteen (15) percent 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 for 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: Jeff Troy**

**Phone Number: 480-858-2189**

**E-mail: Jeffrey\_Troy@tempe.gov**

# Customer Quotation

Date	Quote #
23-Jan-2024	94

## Apache Sands Towing

7602 E Main St  
 Mesa, Arizona 85207  
 Phone: (480) 986-5556  
 Fax: (480) 373-8766

### Quoted For:

Jeffrey Troy  
 City of Tempe (Nuisance Abatement Services)

Arizona

### Summary

**Location:** 210 E Vaughn Drive Tempe  
**Destination:** Tempe Impound  
**Reason:** Tow  
**Zone:**  
**Vehicle:** Mercedes 380 SL  
**Owner:**  
**Phone:**  
**VIN:**  
**Plate/Tag:** BLH7271  
**Mileage:**

Service	Quantity	Rate	Amount
_4 - LD - T6 -Towing	1.00	104.20	104.20
<b>Sub Total</b>			<b>104.20</b>
<b>QUOTATION TOTAL</b>			<b>104.20</b>

The above quoted amounts are valid for 60 days from the date of this quotation.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

# Customer Quotation

Date	Quote #
23-Jan-2024	93

## Apache Sands Towing

7602 E Main St  
 Mesa, Arizona 85207  
 Phone: (480) 986-5556  
 Fax: (480) 373-8766

### Quoted For:

Jeffrey Troy  
 City of Tempe (Nuisance Abatement Services)  
  
 Arizona

Summary	
<b>Location:</b>	210 e vaughn drive tempe
<b>Destination:</b>	Tempe Impound
<b>Reason:</b>	
<b>Zone:</b>	
<b>Vehicle:</b>	Subaru (Silver)
<b>Owner:</b>	
<b>Phone:</b>	
<b>VIN:</b>	
<b>Plate/Tag:</b>	GRL260
<b>Mileage:</b>	

Service	Quantity	Rate	Amount
_4 - LD - T6 -Towing	1.00	104.20	104.20
<b>Sub Total</b>			<b>104.20</b>
<b>QUOTATION TOTAL</b>			<b>104.20</b>

The above quoted amounts are valid for 60 days from the date of this quotation.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date





**City of Tempe**  
Police Department

*Case Information*

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Address: 210 E Vaughn Dr

Case Number: CE207434

Inspector: Jeff Troy

*Requested Services*

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**OFFICER**

City of Tempe Off Duty  
Police Officer

**SERVICES**

Civil Standby: Abate  
Security for Towing

*Item Breakdown*

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ITEM	UNIT COST	QTY	TOTAL
Standard Hourly Rate (3 hours minimum)	\$80/hr	3	\$240
Additional Hourly Fee for Car (3 hours Minimum)	\$5/hr	3	\$15
Flat Fee for Car	\$40	1	\$40
		<b>TOTAL</b>	<b>\$295</b>

*Approved By*  
Jack Scofield  
480-350-8967

Jan 19, 2024 at 10:22:54 AM



Jan 19, 2024 at 10:22:47 AM





COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
**FINAL CORRECTION NOTICE**

10/05/2023

WILLIAM GRAFFIS III  
210 E VAUGHN DR  
TEMPE, AZ 85283-3626

Case #: CE207434  
Site Address: 210 E VAUGHN DR, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 10/05/2023 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 unregistered vehicle outside of or under a roof area not enclosed

**SITE REINSP  
ON OR  
AFTER**

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.b.3	All vehicles out in the open must be registered and display current plates or tags. Please register and or display current tags for both vehicles in the driveway or remove the vehicle(s) from the front of the property.	10/19/2023
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**CORRECTIONS MUST BE COMPLETED OR CITATIONS WILL BE ISSUED**

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

**Jeffrey Troy**  
Code Inspector

**Direct: 480-858-2189**  
**Code Compliance: 480-350-4311**  
**Email: Jeffrey\_Troy@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**

10/19/2023

WILLIAM GRAFFIS III  
210 E VAUGHN DR  
TEMPE, AZ 85283-3626

Case #: CE207434  
Site Address: 210 E VAUGHN DR, TEMPE, AZ 85283

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Section	Violation
CC 21-3.b.3	An unregistered vehicle outside of or under a roof area not enclosed
CC 21-3.b.7	Object, building, tree, bush, or vehicle that interferes with or obstructs a sidewalk or street

**SITE REINSP  
ON OR  
AFTER**

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.b.3	All vehicles out in the open must be registered and display current plates or tags. Please register and or display current tags for both vehicles in the driveway or remove the vehicle(s) from the front of the property.	11/2/2023
CC 21-3.b.7	PLEASE TRIM BACK THE OVERGROWN TREE BRANCHES TO ALLOW FOR FREE PASSAGE ON THE SIDEWALK TO ACCOMODATE PEDESTRIAN TRAFFIC. THERE SHOULD BE AT LEAST 8 FEET OF SEPARATION FROM THE SURFACE OF THE SIDEWALK EXTENDING UPWARDS.	11/2/2023

**CORRECTIONS MUST BE COMPLETED OR CITATIONS WILL BE ISSUED**

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

**Jeffrey Troy**  
Code Inspector

**Direct: 480-858-2189**  
**Code Compliance: 480-350-4311**  
**Email: Jeffrey\_Troy@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



Complaint Number <b>1789843</b>		Case Number	Social Security Number		Military	<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial		
Driver's License No.		DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D		<input type="checkbox"/> 16 Passenger Vehicle	<input type="checkbox"/> Haz. Material	Incident Report Number <b>CE 207434</b>		
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language											
<b>Defendant</b> Name (First, Middle, Last) <b>William Graffi's</b> Juvenile											
Residence Address, City, State, Zip Code <b>210 EAST VAUGHN DRIVE TEMPE, AZ 85283</b> Telephone: (cell phone) <input type="checkbox"/>											
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address			
Business Address, City, State, Zip Code								Business Phone No.			
<b>Vehicle</b> Color					Year	Make	Model	Style	License Plate	State	Expiration Date
Registered owner & address, City, State, Zip Code							Vehicle Identification Number				

The Undersigned Certifies That:

On	Month <b>12</b>	Day <b>14</b>	Year <b>23</b>	Time <b>909</b>	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	<b>Speed</b>	Approx.	Posted	R & P	Speed Measurement Device	Direction of Travel
At	Location <b>210 East Vaughn Drive</b>						<input checked="" type="checkbox"/> Tempe	<b>85283</b>	State of Arizona	Area	Dist.

The Defendant Committed the Following:

<b>A</b>	Section: <b>TC 21-3 A</b>	ARS Violation: <b>21-3 B.3 unregistered/inoperable vehicle</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code
MVD					
<b>B</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
MVD					
<b>C</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
MVD					
<b>D</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
MVD					
<b>E</b>	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
MVD					

<b>You must appear on the date and time indicated at:</b>	<b>Tempe Municipal Court</b> 140 E. 5th Street Tempe, AZ 85281 Court No. 0753	<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: <b>12-28-2023</b>	Time: <b>Between 9AM &amp; 4PM</b>
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____
	<input type="checkbox"/> Court:		Date: _____	Time: _____
Court Address, City, State, Zip Code				

Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.	
<b>X</b> <u>Mailed</u>	Complainant: <b>JEFF TOY</b>	ID #: <b>8023</b>

Comments: **Violation A - First Citation \$200.00**

Juvenile Notification: Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday.

Initials: \_\_\_\_\_ Date issued if not violation date: \_\_\_\_\_

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



1789843