
**CITY OF TEMPE
HEARING OFFICER**

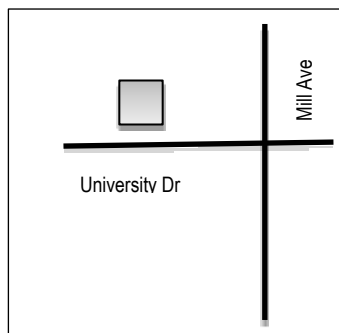
**Meeting Date: 04/16/2024
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the ROOSEVELT E11EVEN LLC Property located at 606 S. Roosevelt St. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$2810.00 for abatement request: Remove grass and weeds from the property.

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 ROOSEVELT E11EVEN LLC 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 CM231961: Removal of grass and weeds from the vacant lot



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Roosevelt E11even LLC
City of Tempe – Code Compliance
R-3- Multi Family Residential District
Michelle Van Etten

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 ROOSEVELT E11EVEN LLC located at 606 S. Roosevelt St in the R-3 Multi Family Residential District. This case was initiated 11/30/2023, 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 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	Roosevelt E11EVEN LLC, Property Abatement			EXISTING ZONING	R-3 <input type="checkbox"/>
PROJECT ADDRESS	606 S Roosevelt St, Tempe, AZ 85281			SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CM231961 April 16, 2024			PARCEL No(s)	124-34-009K <input type="checkbox"/>
PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)					
BUSINESS NAME	Roosevelt E11EVEN LLC	ADDRESS	606 S Roosevelt St		
CONTACT NAME		CITY	Tempe	STATE	AZ ZIP 85281
EMAIL		PHONE 1		PHONE 2	
<i>I hereby authorize the applicant below to process this application with the City of Tempe.</i>					
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 Code Enforcement		ADDRESS	21 E 6th St. Ste 208	
CONTACT NAME	Michelle Van Etten, Code Inspector		CITY	Tempe	STATE AZ ZIP 85281
EMAIL	michelle_vanetten@tempe.gov		PHONE 1	480-350-2895 PHONE 2	
<i>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.</i>					
APPLICANT SIGNATURE X				DATE 3/12/24	
BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs					
BUSINESS NAME			ADDRESS		
CONTACT NAME			CITY	STATE	ZIP
TYPE OF BUSINESS			PHONE	EMAIL	
APPLICATION (Check all that apply)	QTY	SPECIFIC REQUEST (See Planning & Zoning Fee Schedule 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 nd or 3 rd submittal, please use Planning Resubmittal Form)					RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



DATE: March 12, 2024
TO: Jack Scofield, Code Compliance Administrator
FROM: Michelle Van Etten, Code Inspector
SUBJECT: CE231961, 606 S Roosevelt St, Tempe - Abatement

LOCATION: 606 S Roosevelt St, Tempe, AZ. 85281
PARCEL: 124-34-009K
OWNER: Roosevelt E11EVEN LLC
606 S Roosevelt St.
Tempe, AZ. 85281

FINDINGS:

I initiated this case on 11/30/2023 when I observed graffiti on a brick wall on the property. I sent multiple notices to the owner, and the violation was not taken care of. I started the abatement process, the abatement was approved for the removal of graffiti on 02/20/2024.

When taking photographs for that abatement hearing, I observed tall grass and weeds in the vacant dirt / gravel lot. I issued a final correction notice on that date, 02/20/2024, asking that the grass and weeds be taken care of.

I reinspected the property on 03/12/2024 and found that the grass and weeds remained. I have not had any mail or notices that were not returned. Regardless, I mailed a notice of intent to abate to the property owner and posted a copy to the chain-link fencing surrounding the property.

RECOMMENDATIONS:


I recommend an abatement of the nuisance violations at the property at 606 S Roosevelt St, Tempe due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.8 Deteriorated Landscape. The owner was given ample time to come into compliance and maintain the property. There is no indication that the property will be brought into compliance in the near future. 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,

Michelle Van Etten
Code Inspector

ACTION TAKEN: Submit
NAME 
DATE: 3/12/24



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 02/12/2024
CASE # CM231961

**ROOSEVELT E11EVEN LLC
606 S ROOSEVELT ST
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: 606 S ROOSEVELT ST, TEMPE AZ 85281
PARCEL: 124-34-009K

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 04/16/2024. 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.8 Landscaping, visible from public property that is substantially dead, damaged, or characterized as uncontrolled growth or presents a deteriorated appearance

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:

- 1. REMOVE GRASS AND WEEDS FROM GRAVEL / DIRT LANDSCAPE AREAS. MAINTAIN THE VACANT LOT FREE OF GRASS AND WEEDS.**

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 **\$2,810.00**. 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: Michelle Van Etten

Phone Number: 480-350-2895

E-mail: michelle_vanetten@tempe.gov



ESTIMATE	#571
SERVICE DATE	Mar 6, 2024
TOTAL	\$2,810.00

Skunky's Junk Removal

606 South Roosevelt Street
Tempe, AZ 85281

CONTACT US

2618 W. First Street, Suite 7
Tempe, AZ 85281

✉ michelle_vanetten@tempe.gov

☎ (844) 758-6597

✉ info@skunkysjunk.com

ESTIMATE

Services	amount
CM231961 Removal of all grass and weeds on property and along property line. Emergent.	\$0.00
Landscape abatement Remove grass and weeds. Apply emergent	\$2,750.00
11. Disposal Fees Price Per Ton	\$60.00
Services subtotal: \$2,810.00	
Subtotal	\$2,810.00
Total	\$2,810.00

Skunky's Junk Removal is a full service Junk removal company located in Tempe Arizona. Skunky's is dedicated to diverting waste from landfills and donates salvageable items to local charity's.

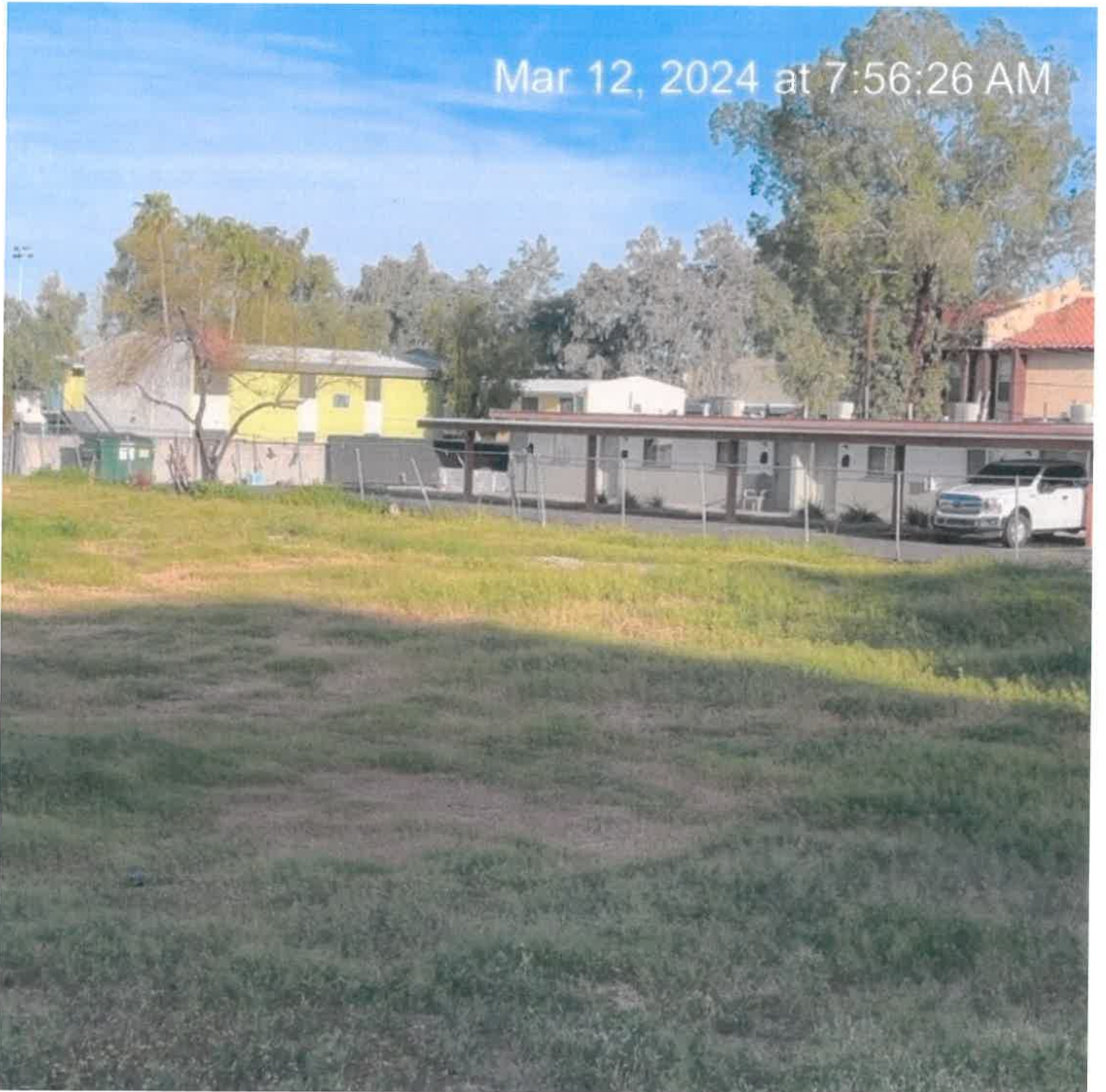
Mar 12, 2024 at 7:56:22 AM



Mar 12, 2024 at 7:56:42 AM

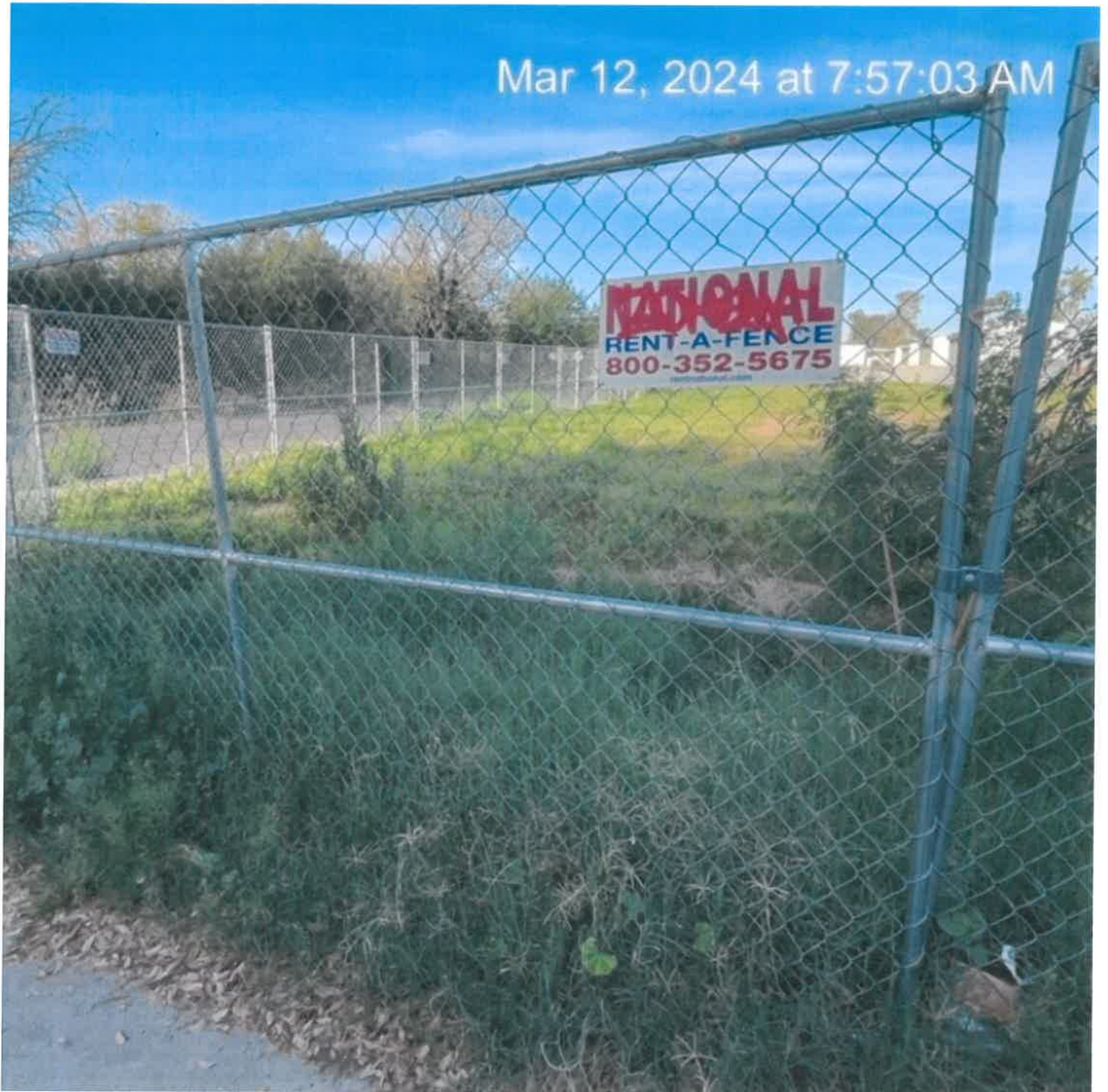


Mar 12, 2024 at 7:56:26 AM



Mar 12, 2024 at 7:57:03 AM

NATIONAL
RENT-A-FENCE
800-352-5675





COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

02/20/2024

ROOSEVELT E11EVEN LLC - C/O RUSSEL P BLACK OR MICHELLE WOOD
606 S ROOSEVELT ST
TEMPE, AZ 85281

Case #: CM231961
Site Address: 606 S ROOSEVELT ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 02/08/2024 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
Sec.22-105.	All sidewalks, walls, buildings, fences, signs, and other structures of surfaces shall be kept free from graffiti when the graffiti is visible from the street or other public or private property
ZDC 1-201.A.	Site &/or building changes made without City approval
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
Sec.22-105.	PLEASE REMOVE / COVER THE GRAFFITI ON THE REAR BLOCK WALL, FACING S ROOSEVELT ST TO AVOID THE CITY ABATING THE VIOLATION.	3/5/2024
ZDC 1-201.A.	AS INDICATED ABOVE, PLEASE COVER / REMOVE GRAFFITI TO AVOID THE CITY ABATING THE VIOLATION.	3/5/2024
CC 21-3.b.8	PLEASE REMOVE GRASS AND WEEDS FROM THE VACANT DIRT / GRAVEL LOT.	3/5/2024

CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED AND / OR THE CITY WILL ABATE THE VIOLATION(S).

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

Michelle Van Etten
Code Inspector

Direct: 480-350-2895
Code Compliance: 480-350-4311
Email:michelle_vanetten@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

finer, 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

02/20/2024

ROOSEVELT E11EVEN LLC - C/O RUSSEL P BLACK OR MICHELLE WOOD
PO BOX 2366
TEMPE, AZ 85280

Case #: CM231961
Site Address: 606 S ROOSEVELT ST, TEMPE, AZ 85281

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Michelle Van Etten
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Direct: 480-350-2895
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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

02/20/2024

ROOSEVELT E11EVEN LLC C/O RUSSELL P BLACK
4222 N 43RD ST
PHOENIX, AZ 85018

Case #: CM231961
Site Address: 606 S ROOSEVELT ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 02/08/2024 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.

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Code Inspector

Direct: 480-350-2895
Code Compliance: 480-350-4311
Email:michelle_vanetten@tempe.gov

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