
**CITY OF TEMPE
HEARING OFFICER**

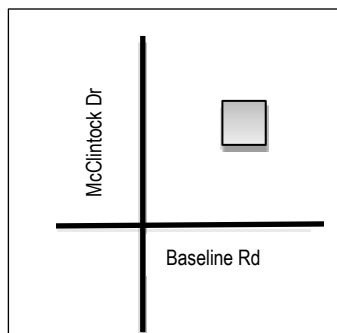
**Meeting Date: 07/16/2024
Agenda Item: 3**

ACTION: Request approval to abate public nuisance items at the JORDAN PROPERTY located at 1930 E. Minton Dr. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$2494.20 for abatement request: Remove junk/debris, drain deteriorated swimming pool, remove unregistered vehicle/ trailer.

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 JORDAN 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 CE226242: Remove junk/debris, drain deteriorated swimming pool, remove unregistered vehicle/ trailer.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Aaron Jordan
City of Tempe – Code Compliance
R1-6: Single Family Residential District
John Salazar

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 JORDAN PROPERTY located at 1930 E. Minton Dr. in the R1-6 Single Family Residential District. This case was initiated 10/17/22, 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	Jordan Property Abatement	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1930 E. Minton Dr Tempe, AZ 85282	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE226242 7/16/2024	PARCEL No(s)	133-36-453 <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME	ADDRESS		
CONTACT NAME	CITY	STATE	ZIP
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 Code Enforcement	ADDRESS	21 E. 6th St Ste 208
CONTACT NAME	John Salazar/Senior Code Inspector	CITY	Tempe
EMAIL	john_salazar@tempe.gov	PHONE 1	480-350-8951
		STATE	AZ
		ZIP	85281
		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
		7/8/24

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: 7/8/2024
TO: Jack Scofield, Code Compliance Administrator
FROM: John Salazar, Senior Code Inspector
SUBJECT: CE226242, Aaron Jordan Property Abatement

LOCATION: 1930 E MINTON DR TEMPE, AZ 85282

PARCEL: 133-36-453A

OWNER: AARON JORDAN
1930 E MINTON DR
TEMPE, AZ 85282

FINDINGS:

10/17/2022 The Code Compliance Division received a complaint for this property for deteriorated landscape, unregistered vehicle, junk, trash, and debris, lawn parking, and structures in the front and back yard.

10/18/2022 An inspection conducted by Code Inspector Cody Oas, found that the property was in violation for grass and weeds in a gravel landscape, items stored in the front, sides, and back yard of the property. There was a vehicle parked in the lawn and a trailer parked in the setback. A notice was mailed to the owner, Aaron Jordan.

11/01/2022 There had been no change to the property, besides the trailer being removed from being parked in the setback. A final notice was mailed to the owner, from Inspector Cody Oas.

11/17/2022 The case has been turned over to me, inspector Julie Scofield. Went to the property. There were a lot of items in the front and back yard. A van was parked in the yard. A final notice was mailed and emailed to the owner.

12/05/2022 Issued a citation to the property owner for the junk, trash, and debris. Citation # 1702583. Pictures were taken to show the condition of the property. A notice was mailed regarding the structures in the back yard.

12/06/2022 Received an anonymous complaint for junk, trash, debris, lawn parking, and inoperable vehicle.

12/07/2022 Received an anonymous complaint for junk, trash, and debris.

12/21/2022 Requested bids to have the property abated. Also mailed a final notice for the structures in the back yard and an unregistered vehicle now in the driveway.

01/04/2023 Received an anonymous complaint for inoperable/ unregistered vehicle.

01/06/2023 Issued Citation #1702584 for Structures in the Back Yard/ Front Yard.

01/23/2023 Received an anonymous complaint for junk, trash, and debris.

02/02/2023 Received an anonymous complaint for junk, trash, and debris and for inoperable/ unregistered vehicle.

02/07/2023 Issued second Citation #1702586 for the Accessory Building. 180 Open Abatement was approved by Hearing Officer.

03/08/2023 and 03/08/2023 Abatement was conducted to bring property into compliance.

04/26/2023 Received an anonymous complaint for junk, trash, and debris, and for structures built in the back yard.

06/01/2023 Abatement conducted to bring property into compliance. Owner interfered and prevented the abatement from being completed.

07/27/2023 Abatement conducted and property brought into compliance.

08/25/2023 Case reassigned to David Rich. Issued Citation #1790000 for junk, trash and debris, Trailer in the Setback and Habitual Offender. Notice was mailed for Deteriorated Pool with green stagnant water.

08/30/2023 Mailed Notice of Intent to Abate to the property owner.

David Rich 9/8/2023

Checked the property and observed the pool water is still green in color. will mail the final notice to owner.

David Rich 9/12/2023

Received telephone call from homeowner, Aaron Jordan (480)450-1980, he advised he was trying to stay on top of the situation. he advised he was cleaning up the pool and that he would continue to work on getting all the j/t/d cleared out. Aaron advised he has 4 storage units he is moving the items to and that we will see improvement in the property. Aaron further asked for clarification on the trailer in the front set back. I explained to him the distance for the setback and where the trailer would not be in violation when he is loading up items to move.

David rich 9/20/2023

Received copy of the citation that was mailed certified mail back as undelivered. the other copy mailed regular mail was not returned, and a court date was set for 10/02 in this matter.

David rich 9/20/2023

Received copy of the citation that was mailed certified mail back as undelivered. the other copy mailed regular mail was not returned, and a court date was set for 10/02 in this matter.

David rich 9/22/2023

Checked the property in reference to the green pool violation. the pool (which is an above ground) was drained of water and is sitting empty. all other violations are still present

David rich 9/25/2023

Court had been scheduled in this matter for 10/02/23 at the Tempe municipal court.

David rich 10/2/2023

Attended court reference citation #1790000, home owner failed to appear. abatement hearing scheduled for 10/03/2023.

David rich 10/3/2023

Checked the property and observed the property still has a large amount of j/t/d in the rear yard, along with items in the front and sides. photographs were taken and included into the documents.

David rich 10/4/2023

Received the determination letter from the hearing officer approving the abatement. home owner had until 10/17/23 to file an appeal. check status on 10/18/23.

David rich 10/18/2023

Checked the status of the case and determined the homeowner has filed for an appeal of the abatement. checked the property and observed a large roll off dumpster in the front yard. the property still has a large amount of j/t/d present. will continue to monitor the property through the appeal process.

Julie Scofield 10/19/2023

The criminal packet is being turned in for the junk, trash, and debris in the back yard, pictures were taken to show the condition of the property. the owner Aaron Jordan came in to planning as of 10/17/23 and filed for an appeal of the abatement hearing officers decision. waiting to see when the BOA is scheduled.

Julie Scofield 10/19/2023

The criminal packet is being turned in for the junk, trash, and debris in the back yard, pictures were taken to show the condition of the property. the owner Aaron Jordan came in to planning as of 10/17/23 and filed for an appeal of the abatement hearing

officers decision. waiting to see when the board is

David rich 11/20/2023

checked the property and observed there is still j/t/d in the front and rear yards. will continue to monitor.

David rich 11/30/2023

Received information that the initial appeal filed by the homeowner with the board of adjustment has been denied. will wait for the period to file another appeal to expire before proceeding.

David rich 1/2/2024

Checked the property and observed there is still j/t/d in the front and rear yards. there does appear to be some improvement, however, there is still a large number of items in the yard. There is also a large dumpster in the front yard of the property.

David rich 1/8/2024

Checked the property and observed there is still a large amount of j/t/d in the rear yard for the property. will set up an abatement.

David rich 1/18/2024

Conducted the abatement of the property. The homeowners were not present, but their adult child was there. The abatement was completed without any interference. items were removed from the front and rear yards of the property. the only items left on the property were items that were designed for outdoor use and were in good repair. any items not designed for outdoor use or in a state of disrepair were removed. photos were taken of the property after completion and were included in the documents section.

David rich 2/15/2024

Checked the property, and it appears to still be in compliance. observed bicycles and outdoor strollers in the front yard. also observed a neatly stack pile of bags of landscaping mulch and a dresser in the rear yard that looks to be being refinished. Currently, it does not appear excessive. will continue to monitor the property.

David rich 2/15/2024

Checked the property, and it appears to still be in compliance. observed bicycles and outdoor strollers in the front yard. also observed a neatly stack pile of bags of landscaping mulch and a dresser in the rear yard that looks to be being refinished. At this time, it does not appear excessive. will continue to monitor the property.

David rich 3/14/2024

Checked the property and it appears there is some reaccumulating of items, but not enough or of the nature to address at this time. will continue to monitor the property.

David rich 3/28/2024

Checked the property and observed some items. will continue to monitor the property.

David rich 4/15/2024

Received information that criminal charges are being filed. will continue to monitor the property.

David rich 5/17/2024

criminal case is still pending.

John Salazar 6/11/2024

Checked the property and observed various items of Junk/trash/debris in front and back yards, green water in the pool in the backyard and a trailer on the side yard that is possibly occupied. Final notice sent.

Cassidy Hernandez 6/13/2024

Received an anonymous complaint from 311 on 6/13/2024 for j/t/d, lawn parking, RV in front

John Salazar 6/14/2024

Mailed notice of intent to abate to the property owner and delivered a copy to residence with photo attached.

John Salazar 6/26/2024

Checked the property and it still is in violation. received a call from homeowner Aaron Jordan (480-450-1980) and he told me the following: he received my last violation letter and has been remodeling the trailer parked on the side of his residence and no one is living in the trailer. he uses the trailer because he travels for his job, and he has been running the a/c so he can work on the remodel. He is planning on placing a dumpster on the property to remove all the junk/trash/debris in front and back. He put chemicals in the pool, and it is now blue/ clear. he advised the cleanup may take additional time and I reminded Aaron that the abatement hearing is scheduled for 7/16 and will continue unless he is able to clean up the Junk/trash/debris in the front, back and sides of the property. I requested Aaron to keep me informed of the progress every week and I will check back on the property next week.

John Salazar 7/2/2024

Checked the property and all the violations still exist. abatement hearing is set for 07/16/2024.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property located at 1930 E. Minton Dr., due to the property owners failure to bring property into compliance with Tempe City Code 21-3.b.1, 21-3.b.3,21-3.b.16. Mr. Jordan was issued multiple notices and failed to comply. There has been no indication that the property owner will bring the property into compliance. The property represents a health/safety issue 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 the public nuisance in accordance with section 21-53 of the Tempe City Code. I also request the abatement to be approved for 180 days.

Respectfully submitted,

John Salazar
Senior Code Inspector.

ACTION TAKEN: Submit
NAME [Signature]
DATE: 7/8/24



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 06/14/2024
CASE #: CE226242

JORDAN AARON
1930 E MINTON DR
TEMPE, AZ 85282

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

LOCATION: 1930 E MINTON DR TEMPE, AZ 85282
PARCEL: 13336453

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **07/16/2024**. 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
- CC 21-3.b.3** An unregistered vehicle outside of or under a roof area not enclosed
- CC 21-3.b.16** Swimming pool that is deteriorated or presents a health hazard
- ZDC 3-416.A** 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.

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.

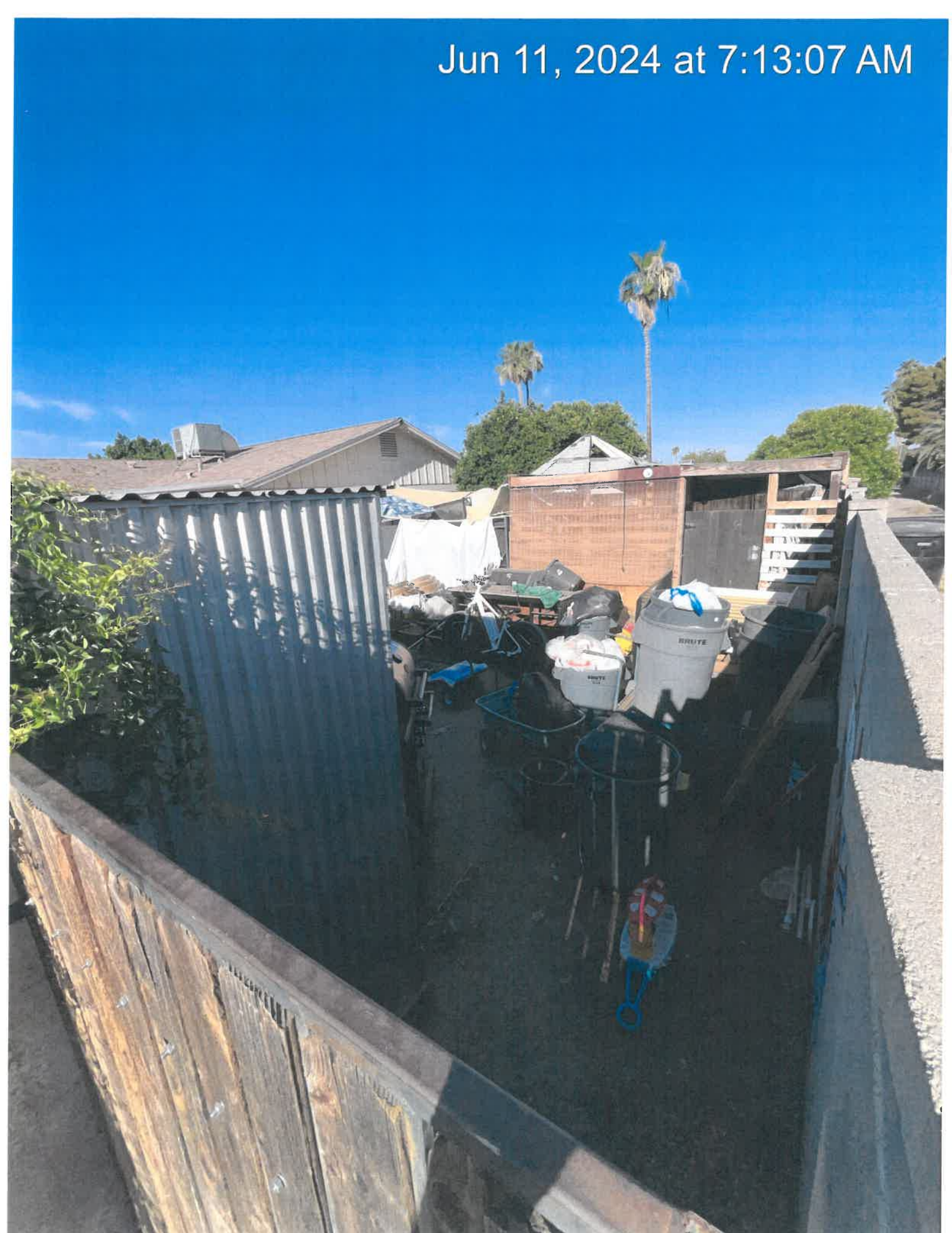
- CC 21-3.b.1** **PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CHAIRS, TRASH, CONTAINERS, BAGS ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.**
- CC 21-3.b.3** **PLEASE REGISTER OR REMOVE VEHICLE (TRAILER)**
- CC 21-3.b.16** **PLEASE RESTORE POOL WATER TO A CLEAN AND CLEAR STATE. ALL ALGAE, DIRT, AND DEBRIS MUST BE REMOVED FROM POOL.**
- ZDC 3-416.A** **PLEASE CEASE USING TRAILER AS LIVING QUARTERS AS THIS IS NOT ALLOWED IN RESIDENTIAL NEIGHBORHOODS**

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 **\$2494.20**. 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.

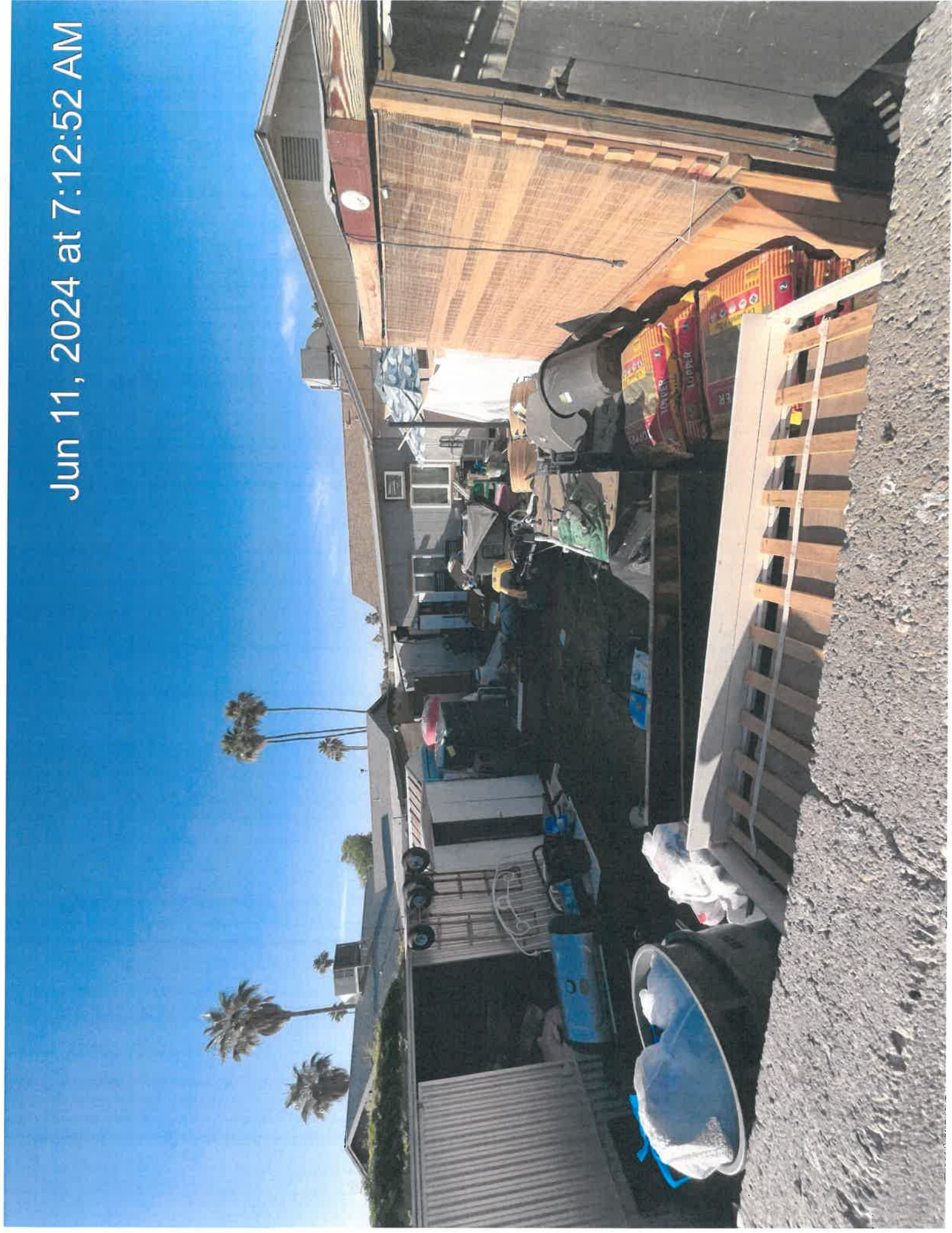
If you have questions regarding this matter, please contact our office at (480)350-4311.

Code Inspector: John Salazar
Phone Number: 480-350-8951
E-mail: John_Salazar@tempe.gov

Jun 11, 2024 at 7:13:07 AM



Jun 11, 2024 at 7:12:52 AM



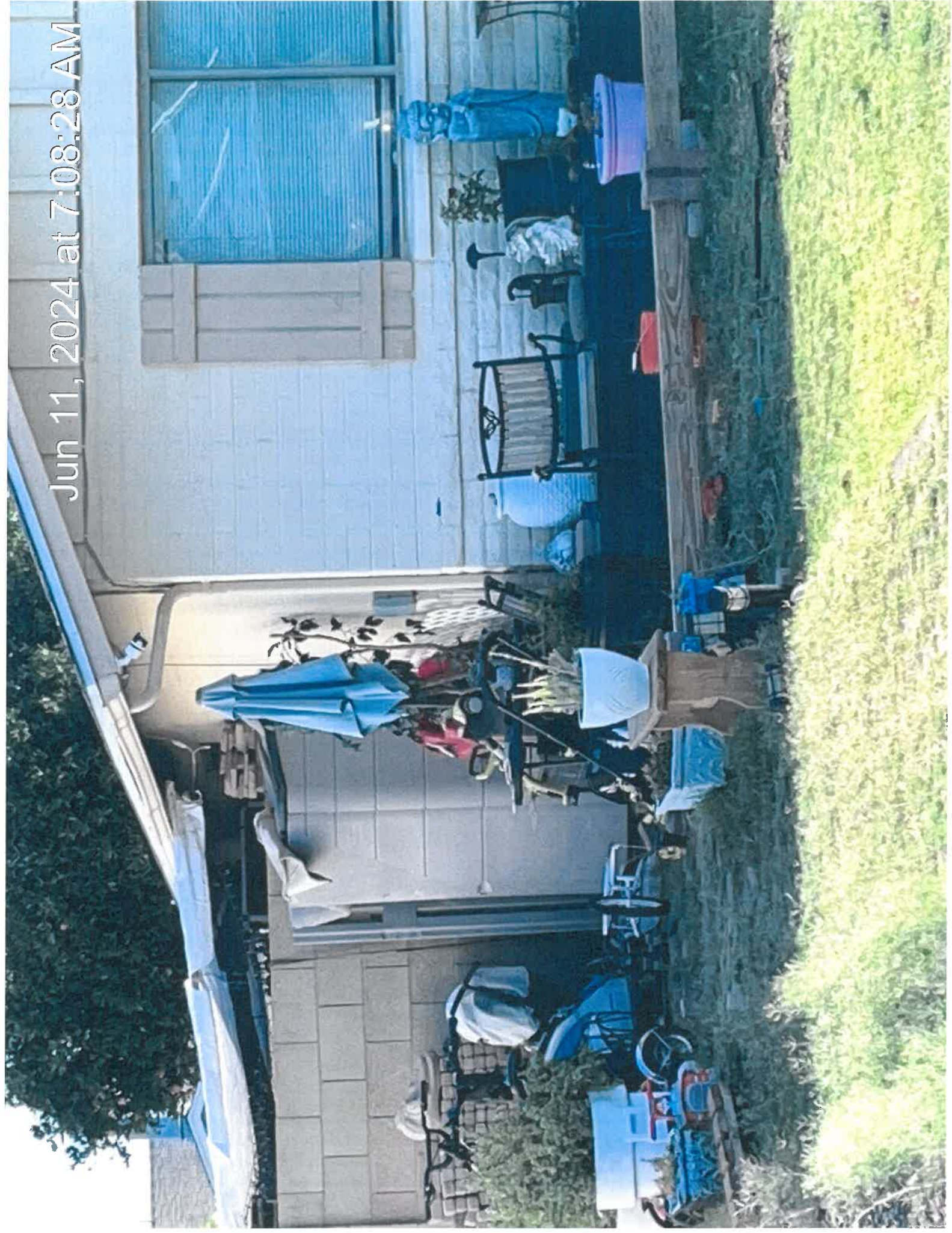
Jun 11, 2024 at 7:12:08 AM



Jun 11, 2024 at 7:11:49 AM



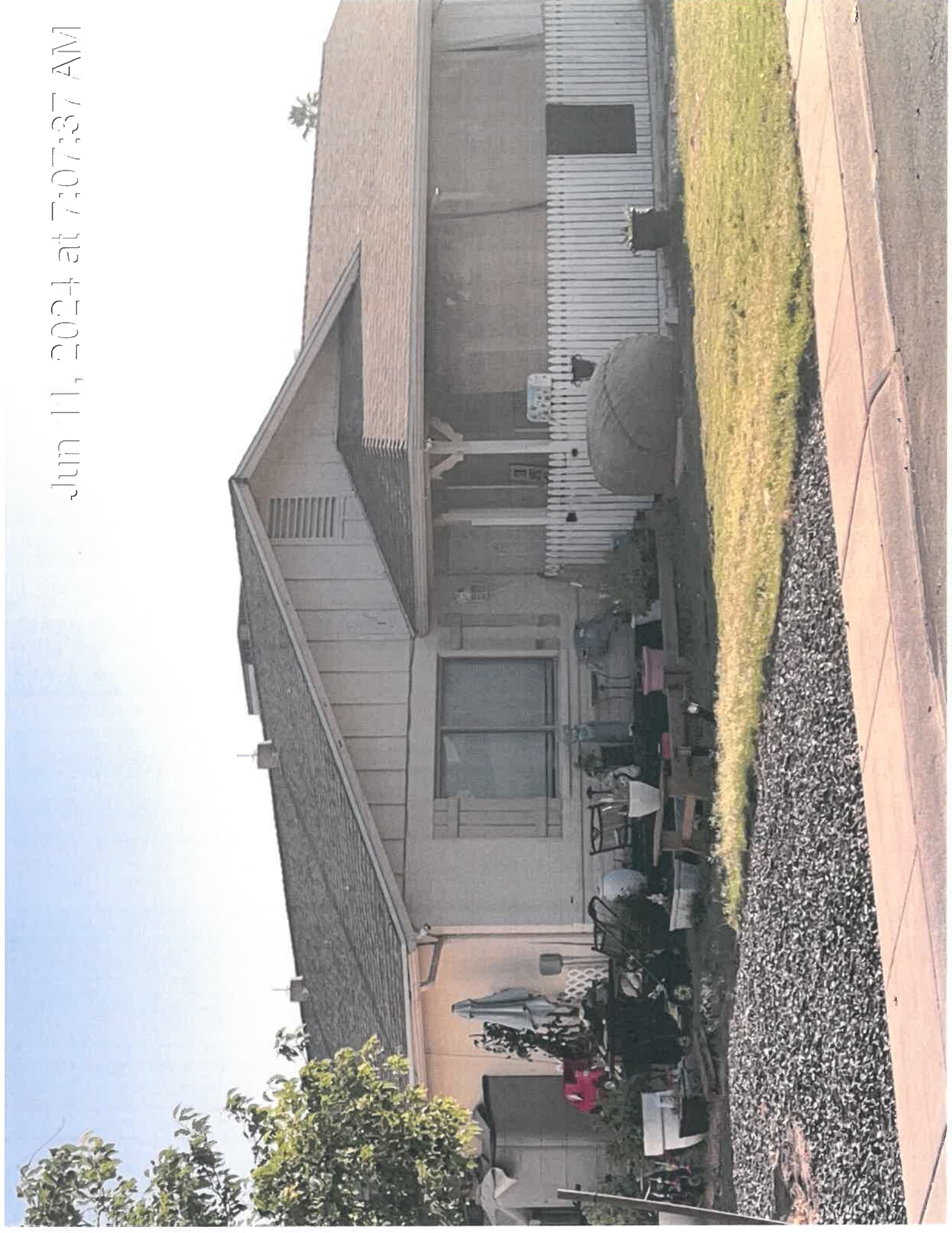
Jun 11, 2024 at 7:08:28 AM



Jun 11, 2024 at 7:07:59 AM



Jun 11, 2024 at 7:07:37 AM







ESTIMATE	#597
SERVICE DATE	Jun 13, 2024
TOTAL	\$2,390.00

Skunky's Junk Removal

1930 East Minton Drive
Tempe, AZ 85282

✉ emailprocurementofficerdirectly@none.com

CONTACT US

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

☎ (844) 758-6597

✉ info@skunkysjunk.com

ESTIMATE

Services	amount
CE226242	\$0.00
Security (Off-Duty Tempe PD) 3 hr. minimum	\$640.00
Clean-Up Estimate Remove any junk, trash and debris from the front, sides and rear of the property. Please drain green water from pool in back yard. Officer required.	\$1,750.00
Services subtotal: \$2,390.00	
Subtotal	\$2,390.00
Total	\$2,390.00

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.

Customer Quotation

Date	Quote #
12-Jun-2024	108

Apache Sands Towing

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

Quoted For:

John Salazar
 City of Tempe (Nuisance Abatement Services)

Arizona

Summary

Location: 1930 E Minton Dr Tempe
Destination: Tempe Impound
Reason: Tow
Zone:
Vehicle: travel trailer
Owner:
Phone:
VIN:
Plate/Tag:
Mileage:

Service	Quantity	Rate	Amount
4 - LD - T6 -Towing	1.00	104.20	104.20
Sub Total			104.20
QUOTATION TOTAL			104.20

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

Signature

Date



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

06/11/2024

JORDAN AARON
1930 E MINTON DR
TEMPE, AZ 85282

Case #: CE226242
Site Address: 1930 E MINTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 06/11/2024 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
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.3	An unregistered vehicle outside of or under a roof area not enclosed
CC 21-3.b.16	Swimming pool that is deteriorated or presents a health hazard
ZDC 3-416.A	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.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CHAIRS, TRASH, CONTAINERS, BAGS ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	6/25/2024
CC 21-3.b.3	PLEASE REGISTER OR REMOVE VEHICLE (TRAILER)	6/25/2024
CC 21-3.b.16	PLEASE RESTORE POOL WATER TO A CLEAN AND CLEAR STATE. ALL ALGAE, DIRT, AND DEBRIS MUST BE REMOVED FROM POOL.	6/25/2024
ZDC 3-416.A	PLEASE CEASE USING TRAILER AS LIVING QUARTERS AS THIS IS NOT ALLOWED IN RESIDENTIAL NEIGHBORHOODS	6/25/2024

CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS MAY BE ISSUED

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

John Salazar
Code Inspector

Direct: 480-350-8951
Code Compliance: 480-350-4311
Email: John_Salazar@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.