
**CITY OF TEMPE
HEARING OFFICER**

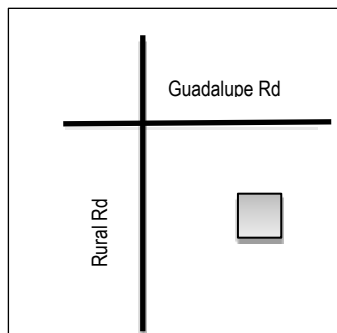
**Meeting Date: 08/06/2024
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the TRUJILLO PROPERTY located at 6737 S. Kenneth Pl. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$840.00 for abatement request: Remove deteriorated landscape, high grass and weeds and junk and debris 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 TRUJILLO 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 CE240829: Remove deteriorated landscape, high grass and weeds and junk and debris from the property.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Robert Trujillo
City of Tempe – Code Compliance
R1-6- Single Family Residential
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 TRUJILLO PROPERTY located at 6737 S. Kenneth Pl in the R1-6 Single Family Residential District. This case was initiated 02/06/2024, 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	ROBERT TRUJILLO PROPERTY ABATEMENT	EXISTING ZONING	R1-6	<input type="checkbox"/>
PROJECT ADDRESS	6737 SOUTH KENNETH PLACE TEMPE AZ 85283	SUITE(S)		<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CE240829 AUGUST 6TH, 2024	PARCEL No(s)	*****	<input type="checkbox"/>

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

BUSINESS NAME		ADDRESS	6737 SOUTH KENNETH PLACE				
CONTACT NAME	ROBERT TRUJILLO	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/CODE ENFORCEMENT	ADDRESS	21 E. 6TH STREET, SUITE 208				
CONTACT NAME	JEFF TROY, CODE INSPECTOR	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	6-21-2024
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BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs

BUSINESS NAME		ADDRESS		STATE		ZIP	
CONTACT NAME		CITY					
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 #				
SPR TRACKING # (if 2 nd or 3 rd submittal, please use Planning Resubmittal Form)				TOTAL APPLICATION FEES
				RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



DATE: JUNE 21, 2024
TO: DAVID RICH, SENIOR CODE INSPECTOR
FROM: Jeff Troy, Code Inspector
SUBJECT: Ce 240829 6737 SOUTH KENNETH PLACE Tempe - Abatement

LOCATION: 6737 SOUTH KENNETH PLACE, Tempe, AZ. 85283

PARCEL: 301-48-495

OWNER: ROBERT TRUJILLO

FINDINGS:

On 02/06/2024, I inspected the property at 6737 South Kenneth Place in Tempe and found grass and weeds in the gravel landscape in the front yard, and as a result, I sent a notice to the owner of the property.

On 03/05/2024, I reinspected the property, and found that the grass and weeds were still present. As a result, I sent out a final notice to the owner of the property.

On 04/09/2024, I reinspected the property. The grass and weeds were still present. As a result, I issued a citation, # 1790326.

The citation was not satisfied with the Tempe City Court. The case was referred to collection.

On 05/22/2024, I reinspected the property and found that in addition to the grass and weeds in the front of the property, I discovered that the backyard contains a lot of junk, trash and debris, in addition to grass and weeds in the back as well. As a result of my new findings, I issued a revised final notice, that I taped to the front door of the property on 05/23/2024.

On 06/21/2024, I reinspected the property and found that the corrections had not been made. As a result, I began the process of securing an abatement against the property at 6737 South Kenneth Place, Tempe AZ.

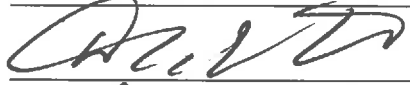
RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 6737 South Kenneth Place, Tempe due to the property owner's failure to bring the property into compliance with Tempe City Code 21-3.b.8 Uncultivated weeds, and Tempe City Code 21-3.b.1 Junk, trash and debris. 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 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: Submitted
NAME: 
DATE: 6/21/2024



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 06/21/2024
CASE # CE240829

ROBERT TRUJILLO
6737 SOUTH KENNETH PLACE
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: 6737 South Kenneth Place Tempe AZ 85283
PARCEL: 301-48-495

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 08/06/2024. 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.8 | Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches |
| 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 |

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:
PLEASE REMOVE THE GRASS AND WEEDS FROM THE FRONT AND BACKYARD OF THE PROPERTY.
PLEASE REMOVE ALL OF THE JUNK TRASH AND DEBRIS FROM THE BACKYARD OF THE PROPERTY.

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 **\$840.00**. 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: Jeff Troy

Phone Number: 480-858-2189

E-mail: Jeffrey_Troy@tempe.gov



Skunky's Junk Removal

6737 South Kenneth Place
Tempe, AZ 85283

✉ emailprocurementofficerdirectly@none.com

ESTIMATE	#594
SERVICE DATE	Jun 3, 2024
TOTAL	\$840.00

CONTACT US

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

☎ (844) 758-6597

✉ info@skunkysjunk.com

ESTIMATE

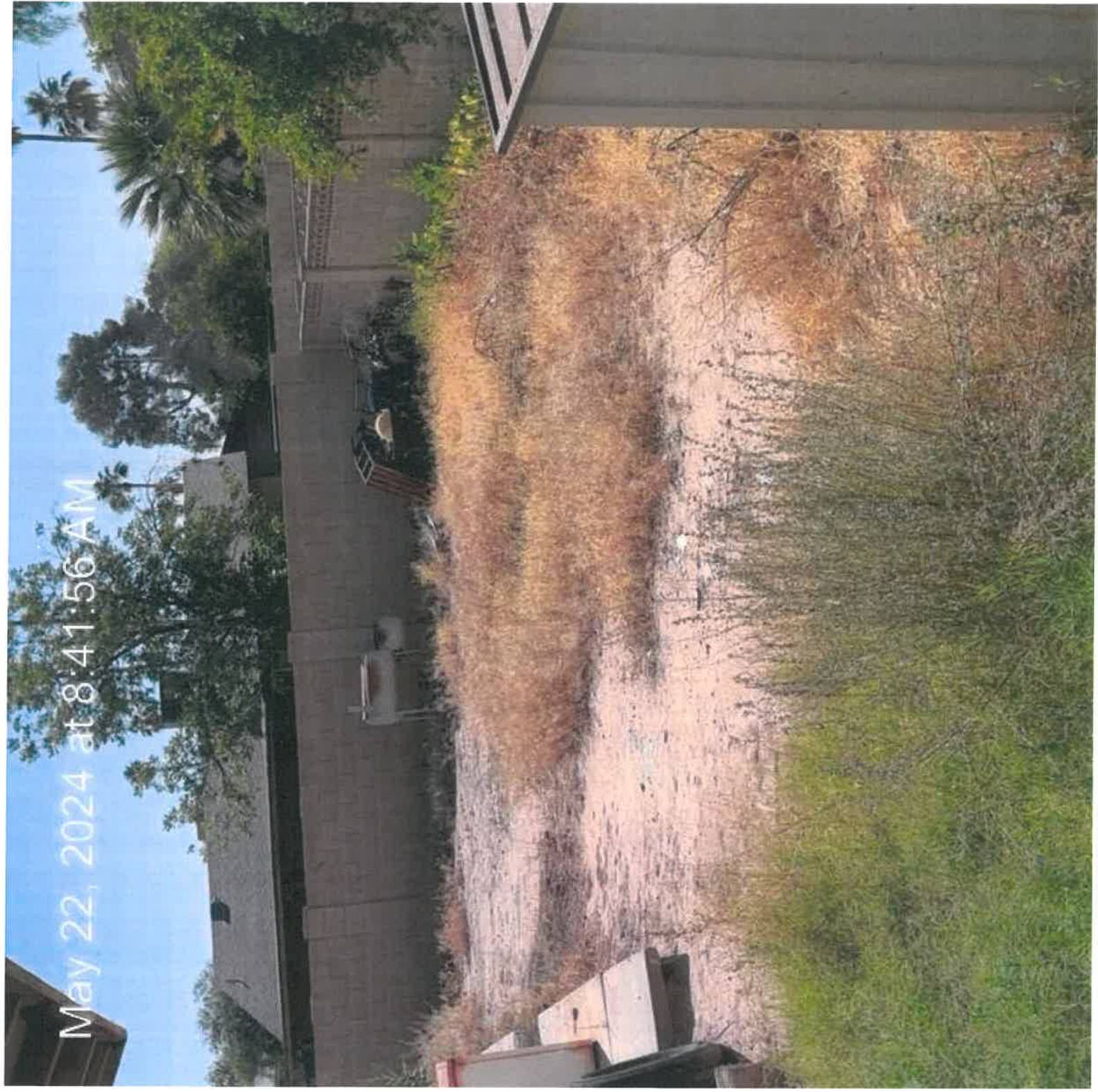
Services	amount
CM240829 6737 S Kenneth	\$0.00
Notes for Technician Remove all Junk, Trash and Debris from the backyard of the property. Remove all grass and weeds from the Front and backyard of the property.	\$0.00
Security (Off-Duty Tempe PD) 3 hr. minimum	\$240.00
Removing all debris, cutting overgrown weeds	\$600.00
	Services subtotal: \$840.00
Subtotal	\$840.00
Total	\$840.00

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.

May 22, 2024 at 8:40:25 AM



May 22, 2024 at 8:41:56 AM



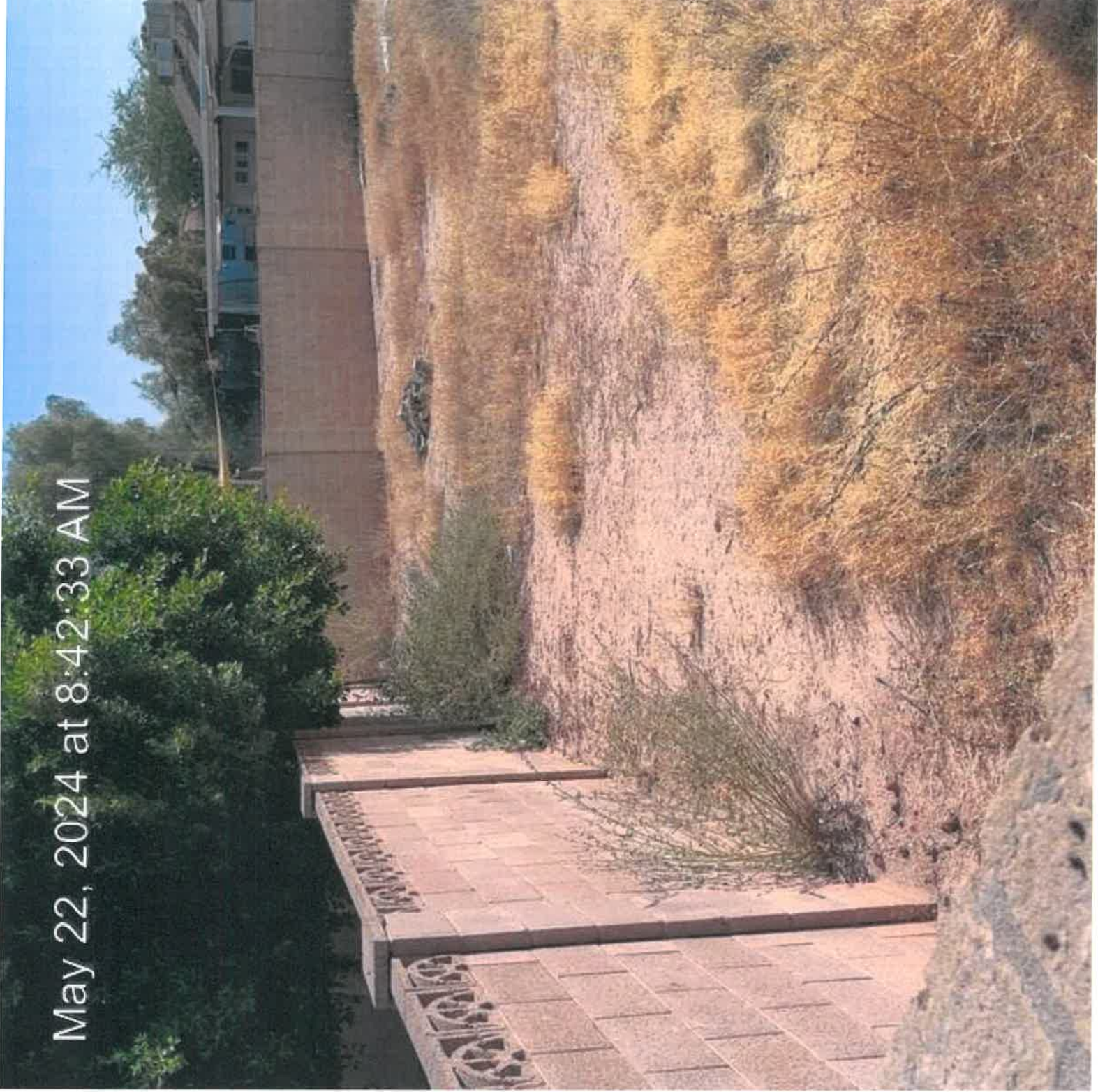
May 22, 2024 at 8:42:36 AM



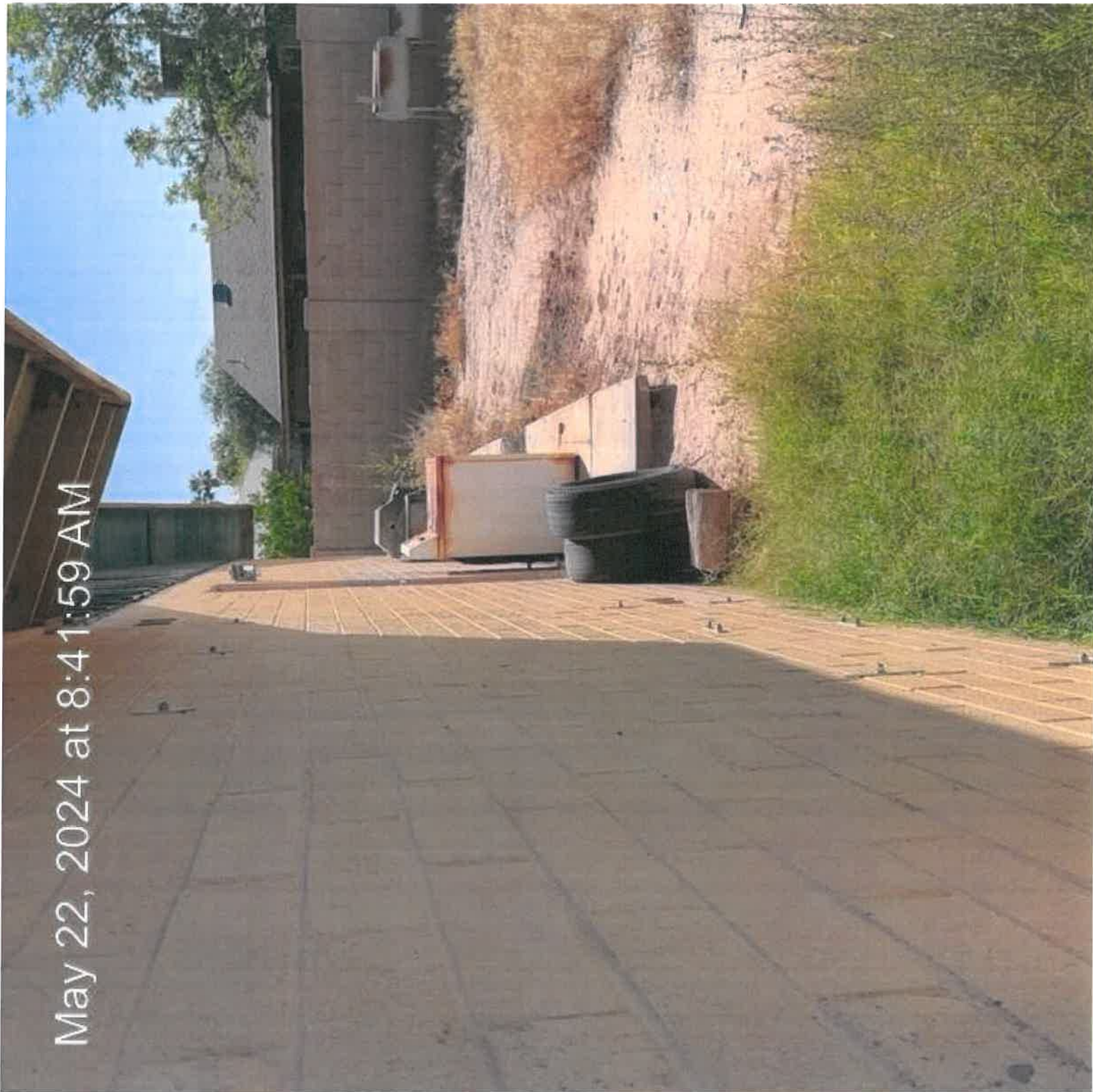
May 22, 2024 at 8:42:39 AM



May 22, 2024 at 8:42:33 AM



May 22, 2024 at 8:41:59 AM





COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

02/05/2024

TRUJILLO ROBERT T & CARMEN M
6737 S KENNETH PL
TEMPE, AZ 85283

Case #: CE240829
Site Address: 6737 S KENNETH PL, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 02/05/2024 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.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches	
PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE REMOVE THE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE IN THE FRONT YARD.	2/19/2024

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

03/05/2024

TRUJILLO ROBERT T & CARMEN M
6737 S KENNETH PL
TEMPE, AZ 85283

Case #: CE240829
Site Address: 6737 S KENNETH PL, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 03/05/2024 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.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

**SITE REINSP
ON OR
AFTER**

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

CC 21-3.b.8	PLEASE REMOVE THE GRASS AND WEEDS FROM THE GRAVEL LANDSCAPE IN THE FRONT YARD.	3/19/2024
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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
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Email: Jeffrey_Troy@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

05/22/2024

TRUJILLO ROBERT T & CARMEN M
6737 S KENNETH PL
TEMPE, AZ 85283

Case #: CE240829
Site Address: 6737 S KENNETH PL, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 05/22/2024 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.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches
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

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE REMOVE THE GRASS AND WEEDS FROM THE FRONT AND BACKYARD OF THE PROPERTY.	06/20/2024
CC 21-3.b.1	PLEASE REMOVE ALL OF THE JUNK TRASH AND DEBRIS FROM THE BACKYARD OF THE PROPERTY.	06/20/2024

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

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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 1790326		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				Incident Report Number LE 240829	
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													Juvenile
Defendant		Name (First, Middle, Last) Robert Trujillo											
Residence Address, City, State, Zip Code 6737 South Kenneth Place Tempe AZ 85283												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.	
Vehicle		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	Day	Year	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace		Direction of Travel	
At	Location 6737 South Kenneth Place							<input checked="" type="checkbox"/> Tempe 85283		State of Arizona	Area	Dist.	
The Defendant Committed the Following:													
A	Section: TRC 2-3 A			ARS Violation: CC 21-3.B.8 Deteriorated Landscapes	Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>	Criminal Traffic <input type="checkbox"/>	Municipal Code <input checked="" type="checkbox"/>		Civil Traffic <input type="checkbox"/>	Petty Offense <input type="checkbox"/>	
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
B	Section:			ARS Violation:	Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>	Criminal Traffic <input type="checkbox"/>	Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/>	Petty Offense <input type="checkbox"/>	
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
C	Section:			ARS Violation:	Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>	Criminal Traffic <input type="checkbox"/>	Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/>	Petty Offense <input type="checkbox"/>	
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
D	Section:			ARS Violation:	Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>	Criminal Traffic <input type="checkbox"/>	Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/>	Petty Offense <input type="checkbox"/>	
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
E	Section:			ARS Violation:	Domestic Violence Case <input type="checkbox"/>		Criminal <input type="checkbox"/>	Criminal Traffic <input type="checkbox"/>	Municipal Code <input type="checkbox"/>		Civil Traffic <input type="checkbox"/>	Petty Offense <input type="checkbox"/>	
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:									
MVD													
You must appear on the date and time indicated at:	Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753			<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: 4-23-2024	Time: Between 9AM & 4PM	<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____	<input type="checkbox"/> AM <input type="checkbox"/> PM	Court No.		
				Court:	Date:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM	Court No.					
Court Address, City, State, Zip Code													
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	<input type="checkbox"/> Victim?	<input type="checkbox"/> Victim Notified?	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.									
X	Mailed	Complainant JEFF TROY	ID # 8023										
Comments: 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.	Violation A - First Citation \$200.00	Initials _____	Date issued if not violation date _____										

If the defendant fails to appear within the time specified, and either pay the fine for the violation or request a hearing, judgment by default will be entered in the amount of the fine designated on the citation for the violation charged plus a penalty amount.



1790326

COMPLAINT