
**CITY OF TEMPE
HEARING OFFICER**

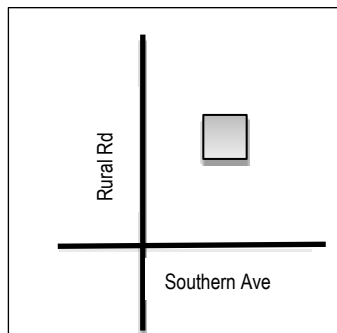
**Meeting Date: 09/03/2024
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the STRUTZENBERG PROPERTY located at 1138 E. Del Rio Dr. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$7300.00 for abatement request: Remove all junk and debris from the exterior of 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 STRUTZENBERG 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 CE234676: Remove all junk and debris from the exterior of the property.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Derek Strutzenburg
City of Tempe – Code Compliance
R1-6- Single Family Residential
David Rich

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 STRUTZENBERG PROPERTY located at 1138 E. Del Rio Dr. in the R1-6 Single Family Residential District. This case was initiated 08/21/2023, 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	Strutzenberg Property Abatement	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1138 E. Del Rio Dr. Tempe AZ 85282	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE234676 9/3/2024	PARCEL No(s)	133-32-285 <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 Compliance	ADDRESS	21 E. 6th St. #208
CONTACT NAME	David Rich/ Sr. Code Inspector	CITY	Tempe STATE AZ ZIP 85281
EMAIL	david_rich@tempe.gov	PHONE 1	(480)350-5011 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
---------------------	---	------

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: 8/13/2024
TO: Jack Scofield, Code Compliance Administrator
FROM: David Rich, Sr. Code Inspector
SUBJECT: CE234676, Strutzenberg Property Abatement

LOCATION: 1138 E. DEL RIO DR. TEMPE, AZ 85282

LEGAL: TEMPE ROYAL PALMS 3

PARCEL: 133-32-285

OWNER: DEREK STRUTZENBERG
1138 E. DEL RIO DR
TEMPE, AZ 85282

FINDINGS:

08/21/2023 A complaint was generated in reference to the property for junk, trash and debris in the front yard by the garage and in the rear yard, an open trailer in the driveway containing junk, trash and debris and a recreational vehicle over 21 feet in length parked in the driveway, front yard setback. An inspection of the property was conducted by Code Inspector David Rich, who verified the violations were present. A notice was mailed to the homeowner, Derek Strutzenberg.

08/24/2023 Received an anonymous complaint reference violations at the property, but subject did not leave contact information or details.

08/25/2023 Responded to property, in an attempt, to contact homeowner. Attempt was unsuccessful. Spoke to subject at the property who identified herself as a house sitter, but he did not provide any further details.

09/04/2023 Conducted inspection of property, recreational vehicle still in driveway, junk trash and debris still present in front and rear yards. A Final Notice was mailed to owner Derek Strutzenberg.

09/18/2023 Received anonymous tip from neighbor advised RV had been moved to apartment complex around corner from property. Neighbor advised homeowner will move the RV to avoid inspections then bring it back a few days later.

09/19/2023 Conducted inspection at property, observed the RV was gone, the front yard

had been partially cleaned up, with only a large TV stand in the driveway. The rear yard still contained a large amount of junk, trash and debris. Left a pink contact card requesting contact from the homeowner by the end of day on 09/21/2023.

09/22/2023 conducted inspection of the property and observed the RV was still gone, but the rear yard still contained a large amount of junk, trash and debris. A citation (1790002) was issued. Photographs of the property were taken to show the condition of the property.

10/06/2023 Owner failed to appear for Court.

10/26/2023 Mailed Notice of Intent to Abate to the property owner.

12/20/2023 Abatement Hearing was conducted and a 180 day open abatement was granted.

02/08/2024 An abatement of the property was conducted which resulted in the removal of J/T/D.

04/12/2024 A check of the property was conducted and additional items had accumulated. A Rolling Abatement Notice was posted to the property.

04/23/2024 A follow up inspection was conducted and the items had been cleared.

05/16/2024 A follow up inspection was conducted and more items had accumulated in the front, rear and side yards. A pink note was left requesting contact from the homeowner.

06/04/2024 Due to no reply from the home owner, a second Abatement was conducted on the property which removed additional J/T/D.

07/18/2024 A fire occurred at the residence causing extensive damage to the property.

07/25/2024 A final notice was mailed to the property owner and posted to the fence surrounding the property.

07/31/2024 A notice of Intent to Abate the property was mailed to the home owner and posted to the property.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violation at the property located at 1137 E. Del Rio Dr., due to property owner's failure to bring property into compliance with Tempe City Code 21-3. b.1. Mr. Strutzenberg was issued multiple notices. A citation was issued and Mr. Strutzenberg failed to appear. 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 this public nuisance in accordance with section 21-53 of the Tempe City Code. I also request that the abatement be approved for 180 days.

Respectfully submitted,

David Rich
Sr. Code Inspector

ACTION TAKEN: Submit

NAME 

DATE: 8/13/24



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 07/31/2024
CASE #: CE234676

STRUTZENBERG DEREK
1138 E DEL RIO 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: 1138 E DEL RIO DR TEMPE, AZ 85282
PARCEL: 13332285

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **09/03/2024**. 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

If the violations have not been corrected within thirty (30) 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:

CC 21-3.b.1 PLEASE REMOVE ALL BURNT TRASH AND DEBRIS FROM THE EXTERIOR OF THE RESIDENCE IN THE FRONT, BACK AND SIDE YARDS OF THE PROPERTY. PLEASE REMOVE ALL TRASH, DEBRIS AND OTHER ITEMS FROM THE EXTERIOR OF THE RESIDENCE ON THE FRONT, SIDE AND REAR 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 **\$7300.00**. 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: David Rich
Phone Number: 480-350-5011
E-mail: David_Rich@tempe.gov



You have a new estimate from Skunky's Junk Removal

 **Service date:** Tue Jul 30, 2024

 **Address:** 1138 East Del Rio Drive, Tempe, AZ 85282

Option #1

\$7,300.00

APPROVE

DECLINE

Estimate Details

Services	Total
CE234676	\$6,500.00
Remove any junk, trash and debris from the front, sides and rear of the property. The property had a recent fire, and it would be the removal of debris on the exterior of the residence only.	
Security (Off-Duty Tempe PD)	\$800.00
3 hr. minimum	
Services subtotal	\$7,300.00

Subtotal	\$7,300.00
-----------------	-------------------

Total	\$7,300.00
--------------	-------------------

Note

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.

Contact us

Skunky's Junk Removal

 [\(844\) 758-6597](tel:(844)758-6597)

 info@skunkysjunk.com

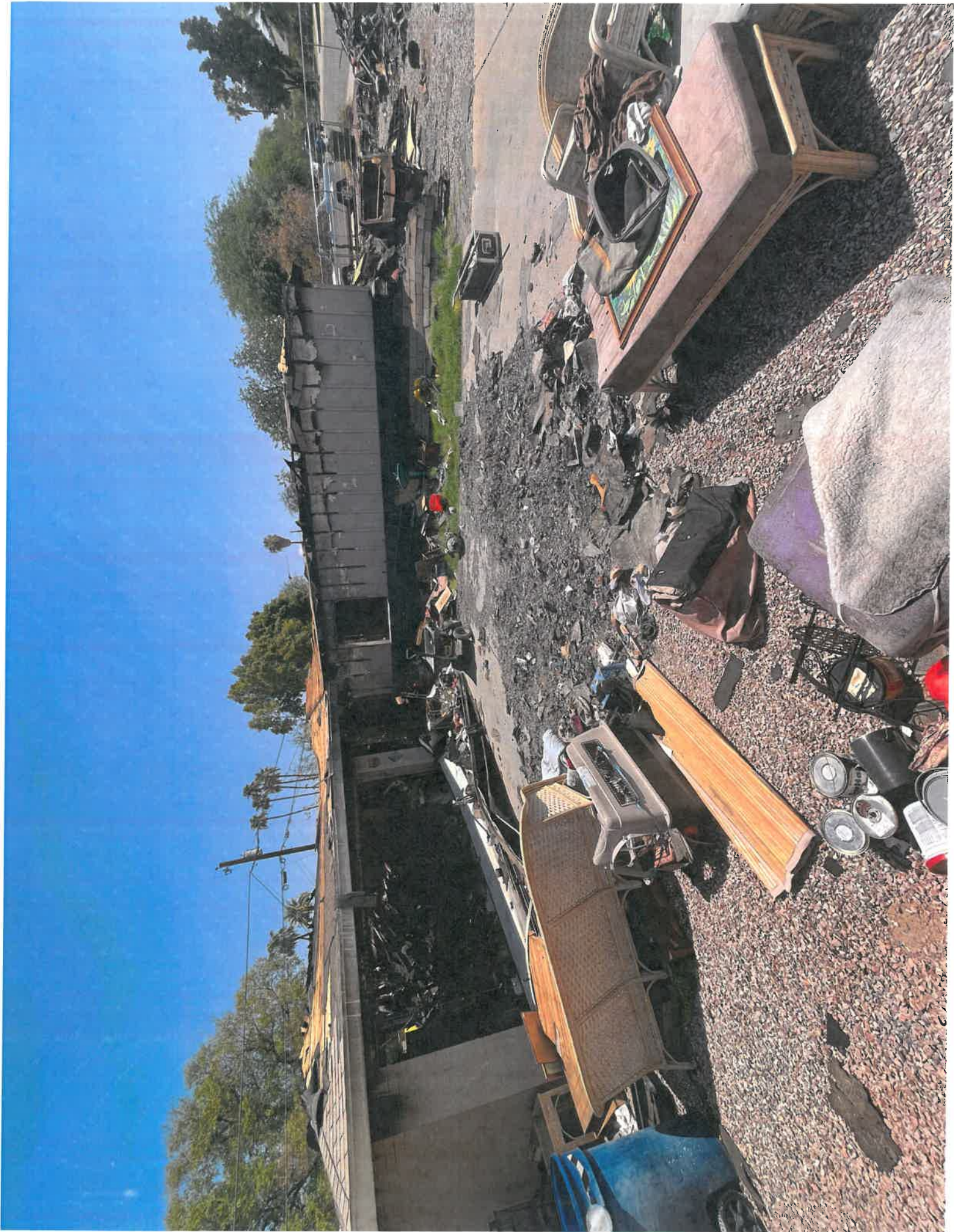
See our [Terms & Conditions](#)

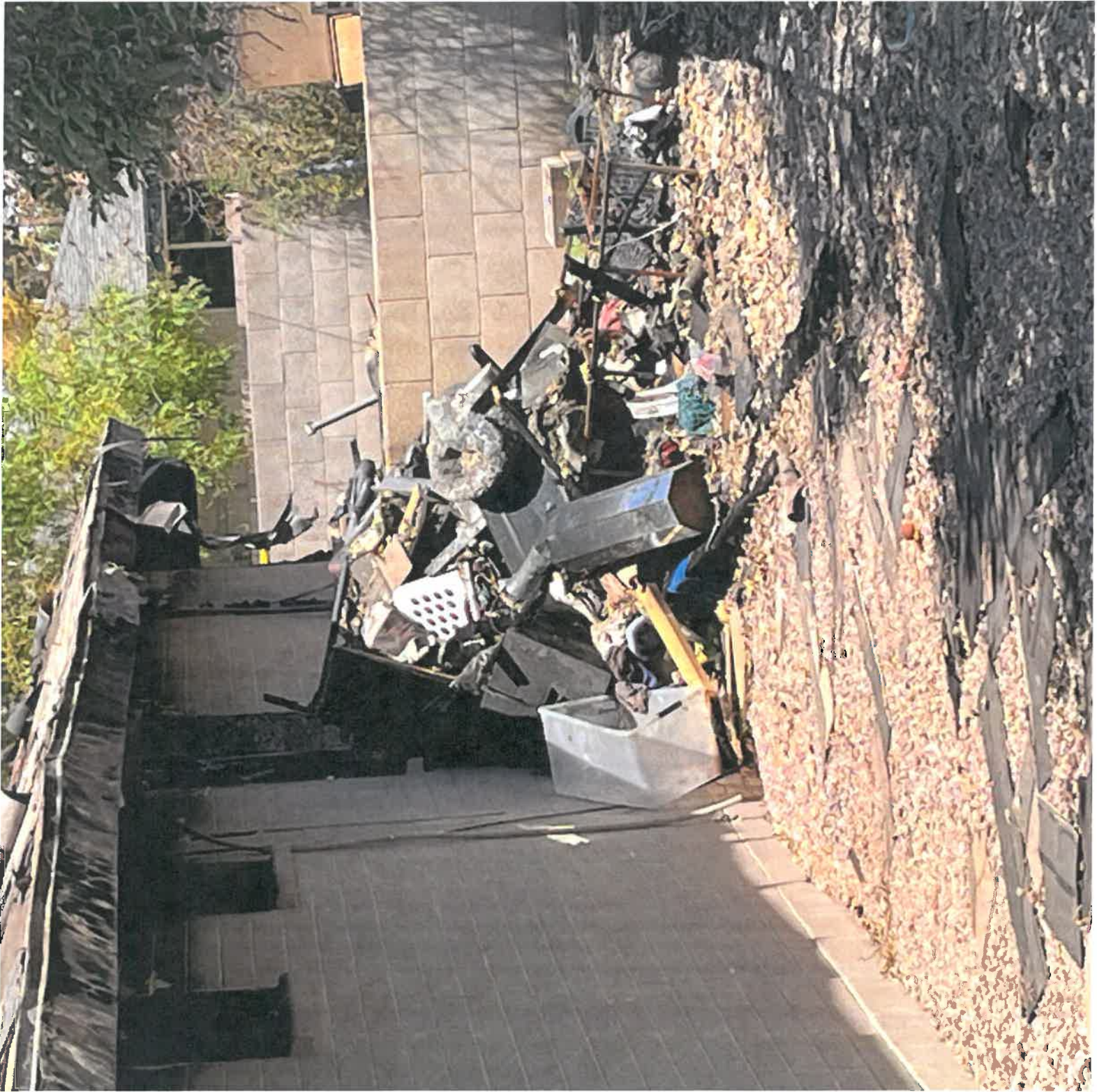
Communication preferences

These are your current preferences

Opt-in to email marketing messages







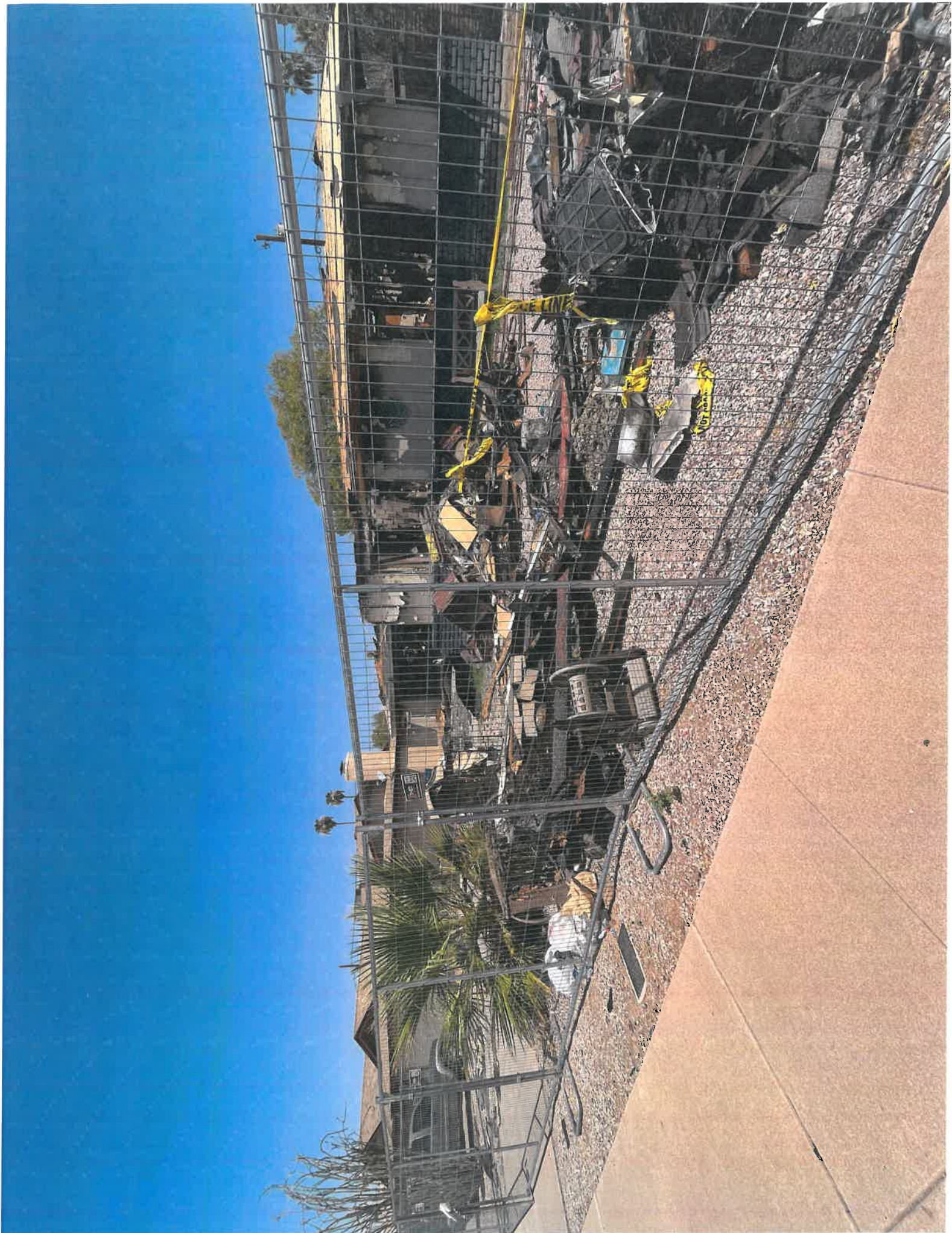






















COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

07/25/2024

STRUTZENBERG DEREK
1138 E DEL RIO DR
TEMPE, AZ 85282

Case #: CE234676
Site Address: 1138 E DEL RIO DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 07/25/2024 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.9	Dangerous, deteriorated, abandoned, partially destroyed or unfinished structure; vacated or abandoned building not securely closed with appropriate materials

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS, INCLUDING FURNITURE, BUCKETS, CUSHIONS AND ANY OTHER MISC. ITEMS FROM BOTH THE FRONT AND REAR YARD. ALL STORAGE ITEMS MUST BE KEPT IN AN ENCLOSED AREA.	8/8/2024
CC 21-3.b.9	PLEASE OBTAIN BUILDING PERMITS AND RESTORE RESIDENCE TO ORIGINAL CONDITION.	8/8/2024

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.

David Rich
Code Inspector

Direct: 480-350-5011
Code Compliance: 480-350-4311
Email: David_Rich@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.



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 04/12/2024
CASE #: CE234676

STRUTZENBERG DEREK
1138 E DEL RIO 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: 1138 E DEL RIO DR TEMPE, AZ 85282
PARCEL: 13332285

In accordance with the Community Development Hearing Officer's approval on **12/19/2023**, the City of Tempe has the authorization to abate public nuisance items in accordance with Section 21-53 of the Tempe City Code by removal or 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 three (3) 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 AND DEBRIS, INCLUDING FURNITURE, BUCKETS, CUSHIONS AND ANY OTHER MISC. ITEMS FROM BOTH THE FRONT AND REAR YARD. ALL STORAGE ITEMS MUST BE KEPT IN AN ENCLOSED AREA.

If the violation(s) have not been corrected, our office will proceed with the abatement process. The cost of this work will be **\$4871.00**. 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: David Rich
Phone Number: 480-350-5011
E-mail: David_Rich@tempe.gov



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

08/21/2023

STRUTZENBERG DEREK
1138 E DEL RIO DR
TEMPE, AZ 85282

Case #: CE234676
Site Address: 1138 E DEL RIO DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 08/21/2023 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
ZDC 4-602.B.7	Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and trailers shall not be parked in the front yard building setback or street side yard setback.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS, INCLUDING FURNITURE, BUCKETS, CUSHIONS AND ANY OTHER MISC. ITEMS FROM BOTH THE FRONT AND REAR YARD. ALL STORAGE ITEMS MUST BE KET IN AN ENCLOSED AREA.	9/4/2023
ZDC 4-602.B.7	PLEASE REMOVE THE RECERATIONAL VEHICLE FROM THE FRONT YARD SETBACK (DRIVEWAY).	9/4/2023

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

David Rich
Code Inspector

Direct: 480-350-5011
Code Compliance: 480-350-4311
Email:David_Rich@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

09/05/2023

STRUTZENBERG DEREK
1138 E DEL RIO DR
TEMPE, AZ 85282

Case #: CE234676
Site Address: 1138 E DEL RIO DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 09/05/2023 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.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
ZDC 4-602.B.7	Recreational vehicles exceeding twenty-one (21) feet in length and all boats, unmounted truck campers, and trailers shall not be parked in the front yard building setback or street side yard setback.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE ALL TRASH AND DEBRIS, INCLUDING FURNITURE, BUCKETS, CUSHIONS AND ANY OTHER MISC. ITEMS FROM BOTH THE FRONT AND REAR YARD. ALL STORAGE ITEMS MUST BE KEPT IN AN ENCLOSED AREA.	9/19/2023
ZDC 4-602.B.7	PLEASE REMOVE THE RECREATIONAL VEHICLE FROM THE FRONT YARD SETBACK (DRIVEWAY).	9/19/2023

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

David Rich
Code Inspector

Direct: 480-350-5011
Code Compliance: 480-350-4311
Email: David_Rich@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

10/16/2023

STRUTZENBERG DEREK
1138 E DEL RIO DR
TEMPE, AZ 85282

Case #: CE234676
Site Address: 1138 E DEL RIO DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 09/20/2023 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	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 TRIM GRASS AND WEEDS IN REAR AND SIDE YARDS OF PROPERTY	10/30/2023

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

David Rich
Code Inspector

Direct: 480-350-5011
Code Compliance: 480-350-4311
Email:David_Rich@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 1790002		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 CE 234676				
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language															
Defendant Name (First, Middle, Last) DEREK STRUTZENBERG												Juvenile			
Residence Address, City, State, Zip Code 1138 E. DEL RIO DR. TEMPE AZ 85282										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 09	Day 22	Year 2023	Time 0929	<input checked="" 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 1138 E. DEL RIO DR.								<input checked="" type="checkbox"/> Tempe <input type="checkbox"/>	85282		State of Arizona		Area	Dist.

The Defendant Committed the Following:

A	Section: TCC 21-3 A	ARS Violation: CC 21-3-B-1	JUNK, TRASH, DEBRIS		<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	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
MVD							
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	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
MVD							
C	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	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
MVD							
D	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	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
MVD							
E	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	<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
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: 10/06/2023	Time: Between 9AM & 4PM	
	<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> Court:	Date:	Time:	<input type="checkbox"/> AM	Court No.
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.	
X MAILED / CERT	D. RICH	27279
	Complainant	ID #

Comments: **A = \$200.00**
TOTAL = \$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 _____

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.



1790002



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 10/25/2023
CASE #: CE234676

**STRUTZENBERG DEREK
1138 E DEL RIO 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: 1138 E DEL RIO DR TEMPE, AZ 85282
PARCEL: 13332285

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **12/19/2023**. 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** Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

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 AND DEBRIS, INCLUDING FURNITURE, BUCKETS, CUSHIONS AND ANY OTHER MISC. ITEMS FROM BOTH THE FRONT AND REAR YARD. ALL STORAGE ITEMS MUST BE KEPT IN AN ENCLOSED AREA.
- CC 21-3.b.8** PLEASE TRIM GRASS AND WEEDS IN REAR AND SIDE YARDS OF 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 **\$4,87100**. 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: David Rich
Phone Number: 480-350-5011
E-mail: David_Rich@tempe.gov**