

CITY OF TEMPE HEARING OFFICER

Meeting Date: 1/21/2025

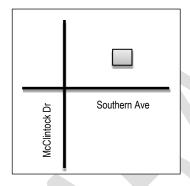
Agenda Item: 4

ACTION: Request approval to abate public nuisance items at the AYKROID PROPERTY located at 1932 E. Huntington Dr. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$845.00 for abatement request, including deteriorating landscaping in front and backyards, and security on site.

RECOMMENDATION: Staff – Approval

BACKGROUND INFORMATION: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the AYKROID PROPERTY (CE243172). 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 CE243172: deteriorating landscaping in the front and backyards.



Property Owner Ryan Aykroid

Applicant

City of Tempe – Code Compliance

Zoning District:

R1-6, Single Family Residential District

Code Compliance Inspector:

Missy Heineman, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Jack Scofield, Code Compliance Administrator (480-350-8967)

Department Director: Jeff Tamulevich, Community Development Director

Prepared by: Shawn Daffara, Crime Prevention Planning Coordinator (480-858-2284)

Reviewed by: Drew Yocom, Deputy Community Development Director - Community Enhancement Division

COMMENTS:

Code Compliance is requesting approval to abate the AYKROID PROPERTYT located at 1932 E. Huntington Dr. in the R1-6, Single Family Residential District. This case was initiated 4/24/24 following 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 the 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.

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

	1	PROJECT NAME	AYKROID PROPERTY AB	ATEME		INI OKIIIAI			EXISTING ZONING	R1-6		
	PRO	JECT ADDRESS	1932 E HUNTINGTON DR	., TEMI	PE, AZ 85282	2			SUITE(S)			
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	C	ONTACT NAME	MISSY HEINEMAN / CODI	E INSP	ECTOR	CITY	TEMPE		STATE	AZ	ZIP	85281
		EMAIL	MISSY_HEINEMAN@TEM	IPE.GO)V	PHONE 1	(480) 350-8224		PHONE 2			
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							Heineman	Date: 2024.12.17	08:47:07 -07'00'	12	2/17	/24
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	D.	USE PERMITS	/ USE PERMIT STANDARDS						ZUP			
	E.	ZONING CODE	: AMENDMENTS						ZOA	Z	ON	
	F.	PLANNED ARI	EA DEVELOPMENT OVERLAYS						PAD	R	EC	
	G.	SUBDIVISION	CONDOMINIUM PLATS						SBD	R	EC	V
_	H.	DEVELOPMEN	IT PLAN REVIEW						DPR			
	i.	APPEALS										
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DATE: DECEMBER 17, 2024

TO: David Rich, Senior Code Inspector

FROM: Missy Heineman, Code Inspector

SUBJECT: CE243172, RYAN AYKROID PROPERTY ABATEMENT

LOCATION: 1932 E HUNTINGTON DR, AZ 85282

PARCEL: 133-34-274

OWNER: RYAN AYKROID

1932 E HUNTINGTON DR

TEMPE, AZ 85282

FINDINGS:

4-24-2024 The Code Compliance Division received complaint for deteriorated landscape.

4/25/2024 Inspected property and found grass and weeds growing in the gravel landscape of the front and side yards. Notice to comply mailed to property owner, Ryan Avkroid, to remedy the violations.

5/10/2024 Inspected property and found grass and weeds growing in the gravel landscape of the front and side yards remain in violation. Final notice to comply mailed to property owner, Ryan Aykroid, to remedy the violations.

5/28/2024 Inspected property and found grass and weeds growing in the gravel landscape of the front and side yards remain in violation. Pink final notice to comply mailed to property owner, Ryan Aykroid, to contact me.

6/21/2024 Inspected property and found grass and weeds growing in the gravel landscape of the front and side yards remain in violation. Second pink final notice to comply was posted to the property, asking for the property owner, Ryan Aykroid to contact me.

7/29/2024 Inspected property and found grass and weeds growing in the gravel landscape of the front and side yards. Dead portions of trees/bushes have been added to the violation. Revised final notice to comply mailed to property owner, Ryan Aykroid, to remedy the violations.

8/12/2024 Civil Citation #1790107 was issued for Deteriorated Landscape.

8/14/2024 Civil arraignment NLT 8/28/24.

8/27/2024 Defendant plead guilty and paid the fee and fines.

9/10/2024 Appears they are working on clearing the violations.

10/30/2024 The property is back in violation of Deteriorated Landscape.

11/4/2024 The property is in violation of Deteriorated Landscape.

11/18/2024 The property is in violation of Deteriorated Landscape.

12/3/2024 Photos taken that show the current condition of the property.

12/20/2024 Posted notice of intent to abate to property and mailed to property owner.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 1932 E HUNTINGTON DR due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.8 Deteriorated Landscape. MR. AYKROID has been given ample time to come into compliance and maintain the property. The property owner has been issued a civil citation and has failed to appear to court. There has been no indication that the property owner will bring the property into compliance. 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,

Missy Heineman Code Inspector

ACTION TAKEN:

Submitte.

NAME

12/19/2021

DATE:



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 12/17/2024 CASE #: CE243172

AYKROID RYAN/WILLIAMS SAMANTHA 1932 E HUNTINGTON 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: 1932 E HUNTINGTON DR TEMPE, AZ 85282

PARCEL: 13334274

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers 01/21/2025 at 5:00pm. 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	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps

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.8	PLEASE CUT/REMOVE ALL OVERHEIGHT GRASS/WEEDS IN THE FRONT/SIDE/REAR
	YARDS OF THE PROPERTY AS WELL AS THE ALLEY, MAINTAIN LANDSCAPE FREE OF
	ANY UNCONTROLLED GROWTH OR DEAD VEGETATION.

CC 21-3.b.8 PLEASE REMOVE DEAD PORTIONS OF THE TREES/BUSHES IN THE FRONT AND/OR SIDE AND/OR BACK YARD LANDSCAPED AREAS. ALL LANDSCAPES MUST BE MAINTAINED FREE AND CLEAR OF ANY DEAD GROWTH.

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 \$845.00. 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: Missy Heineman Phone Number: 480-350-8224

E-mail: Missy_Heineman@tempe.gov



December 10, 2024

City of Tempe Attn: Missy Heineman Code Compliance Inspector

RE: Clean-Up

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed at 1932 E. Huntington Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

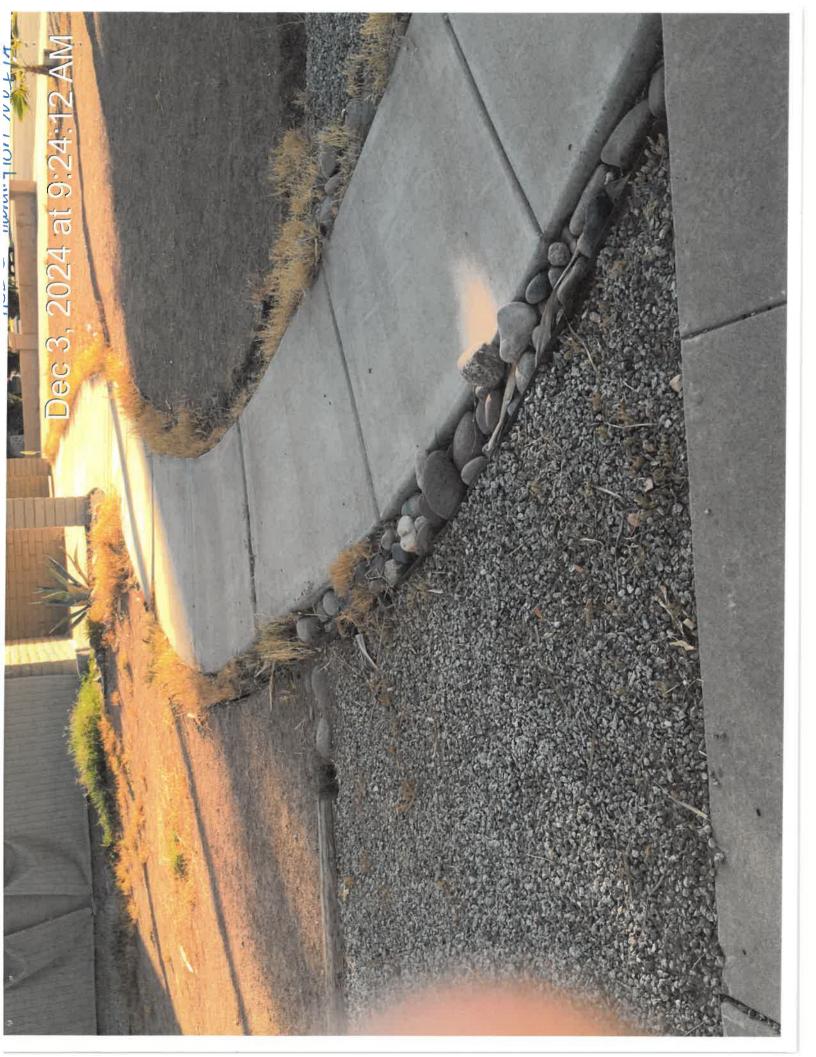
Scope of Work

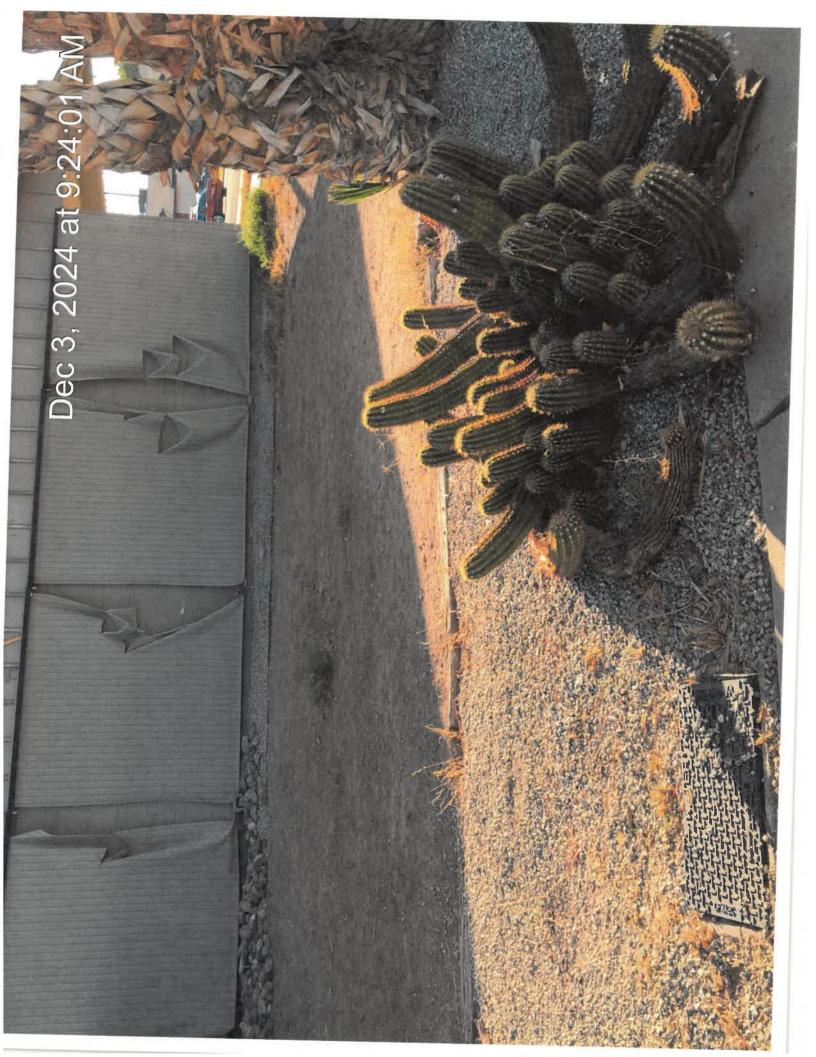
- Cut the over height grass and weeds in the front and side yards
- Trim and/or remove any dead portions of bushes, shrubs, or trees in the front and side yards
- Trim the small palm trees
- Haul off debris
- Police presence on-site for the duration of the visit

Total = \$845.00

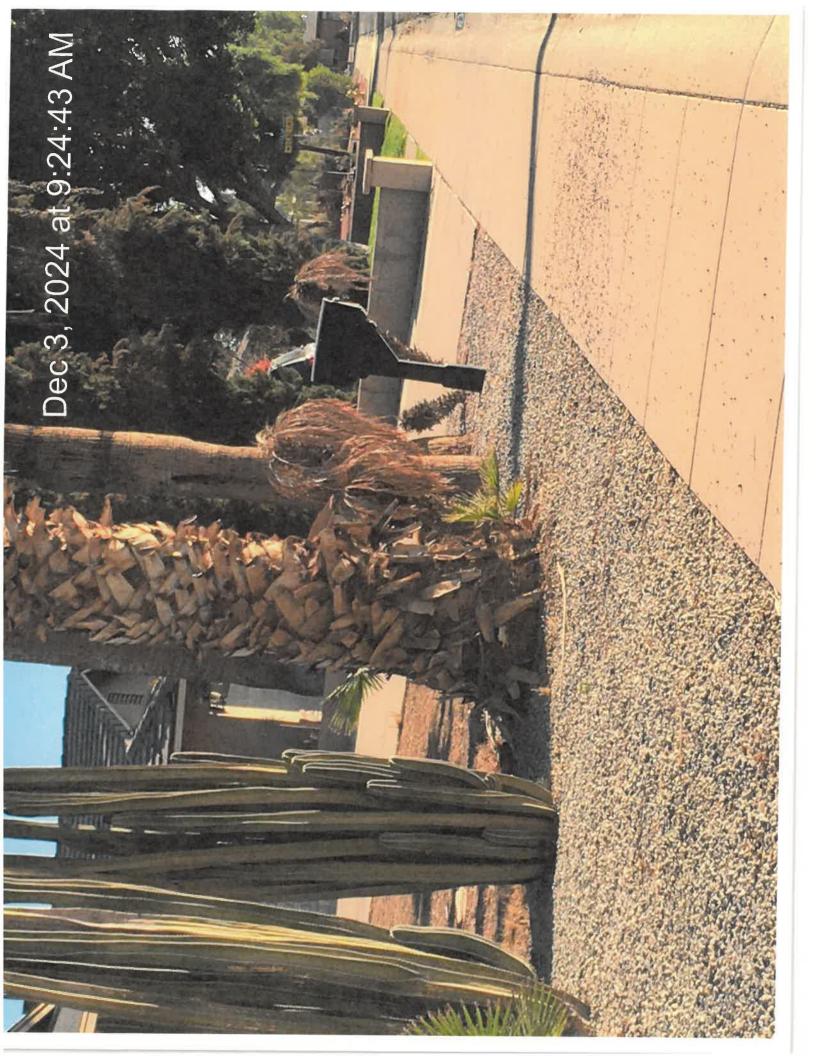
Respectfully,

Freddie Panzella











COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE CORRECTION NOTICE

04/25/2024

AYKROID RYAN/WILLIAMS SAMANTHA 1932 E HUNTINGTON DR TEMPE. AZ 85282

Case #: CE243172

Site Address: 1932 E HUNTINGTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/25/2024 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	

PLEASE TAKE TI	HE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE CUT/REMOVE ALL OVERHEIGHT GRASS/WEEDS IN THE FRONT/SIDE/REAR YARDS OF THE PROPERTY AS WELL AS THE ALLEY. MAINTAIN LANDSCAPE FREE OF ANY UNCONTROLLED GROWTH OR DEAD VEGETATION. WILDFLOWERS ARE AN EXCEPTION.	5/9/2024
CC 21-3.b.8	PLEASE COMPLETELY REMOVE GRASS AND WEEDS FROM DIRT LANDSCAPE OR RETURN ALL DEAD BROWN GRASS IN THE FRONT AND/OR SIDE YARDS TO A GREEN LIVING STATE AND INSTALL GRASS IN THE BARE DIRT SECTIONS IN THE YARD, OR YOU MAY INSTALL A FORM OF ACCEPTABLE AND RECOGNIZABLE LANDSCAPE. THE LANDSCAPE COULD CONSIST OF GRAVEL, GRASS, DESERT, OR A COMBINATION OF EACH WITH DEFINED BORDERS.	5/9/2024

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

Missy Heineman Code Inspector Direct: 480-350-8224

Code Compliance: 480-350-4311 Email:Missy_Heineman@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



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

05/10/2024

AYKROID RYAN/WILLIAMS SAMANTHA 1932 E HUNTINGTON DR TEMPE. AZ 85282

Case #: CE243172

Site Address: 1932 E HUNTINGTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 05/10/2024 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	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	

PLEASE TAKE T	HE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE CUT/REMOVE ALL OVERHEIGHT GRASS/WEEDS IN THE FRONT/SIDE/REAR YARDS OF THE PROPERTY AS WELL AS THE ALLEY. MAINTAIN LANDSCAPE FREE OF ANY UNCONTROLLED GROWTH OR DEAD VEGETATION. WILDFLOWERS ARE AN EXCEPTION.	05/24/2024
CC 21-3.b.8	PLEASE COMPLETELY REMOVE GRASS AND WEEDS FROM DIRT LANDSCAPE OR RETURN ALL DEAD BROWN GRASS IN THE FRONT AND/OR SIDE YARDS TO A GREEN LIVING STATE AND INSTALL GRASS IN THE BARE DIRT SECTIONS IN THE YARD, OR YOU MAY INSTALL A FORM OF ACCEPTABLE AND RECOGNIZABLE LANDSCAPE. THE LANDSCAPE COULD CONSIST OF GRAVEL, GRASS, DESERT, OR A COMBINATION OF EACH WITH DEFINED BORDERS.	05/24/2024

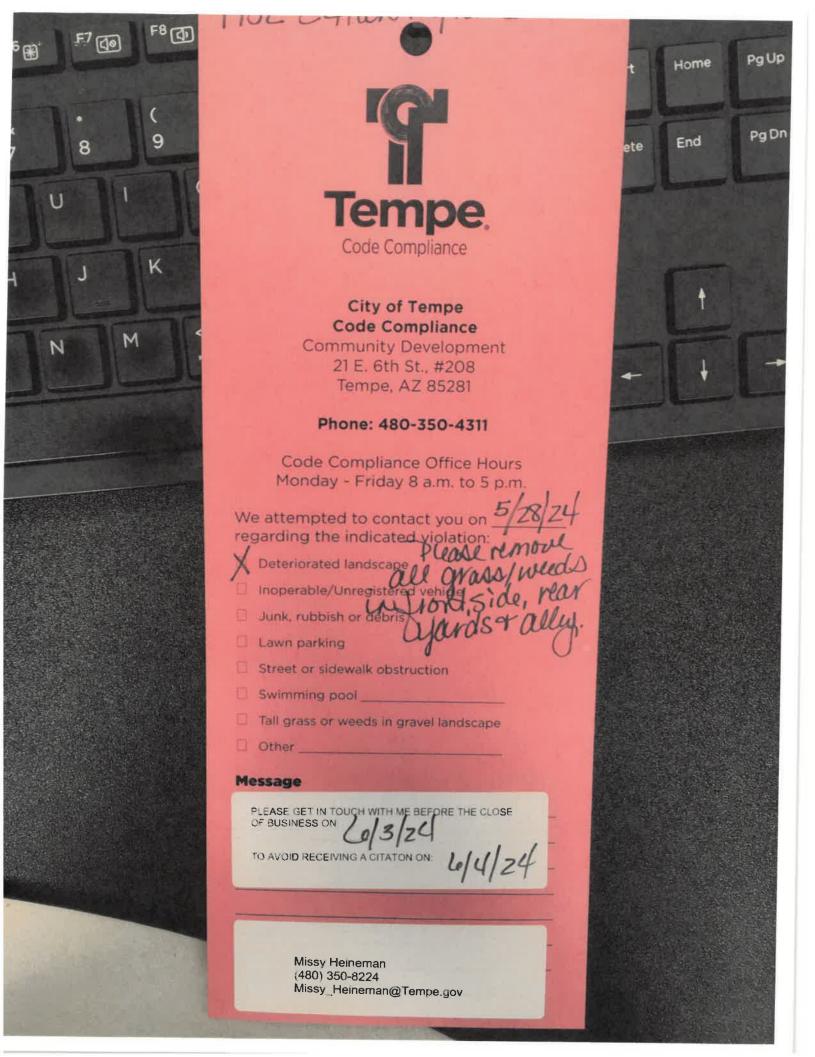
Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Missy Heineman Code Inspector Direct: 480-350-8224

Code Compliance: 480-350-4311 Email:Missy Heineman@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



1932 Ettuntington



City of Tempe Code Compliance

Community Development 21 E. 6th St., #208 Tempe, AZ 85281

Phone: 480-350-4311

Code Compliance Office Hours Monday - Friday 8 a.m. to 5 p.m.

	Idailail
W	e attempted to contact you on 921/24
re	garding the indicated violation:
X	Deteriorated landscape Please remove
	The second section of the Control of
d	Junk, rubbish or debris Lawn parking Lawn parking
0	Lawn parking Gavas and
	Street or sidewalk obstruction
Ш	Swimming pool
D.	Tall grass or weeds in gravel landscape
	Other
M	essage
	PLEASE GET IN TOUCH WITH ME BEFORE THE CLOSE OF BUSINESS ON: LO/24/24
	TO AVOID RECEIVING A CITATON ON:

Missy Heineman (480) 350-8224 Missy_Heineman@Tempe.gov





COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE REVISED FINAL CORRECTION NOTICE

07/29/2024

AYKROID RYAN/WILLIAMS SAMANTHA 1932 E HUNTINGTON DR TEMPE, AZ 85282

Case #: CE243172

Site Address: 1932 E HUNTINGTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 07/29/2024 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	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps

PLEASE TAKE 1	THE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER
CC 21-3.b.8	PLEASE CUT/REMOVE ALL OVERHEIGHT GRASS/WEEDS IN THE FRONT/SIDE/REAR YARDS OF THE PROPERTY AS WELL AS THE ALLEY. MAINTAIN LANDSCAPE FREE OF ANY UNCONTROLLED GROWTH OR DEAD VEGETATION. WILDFLOWERS ARE AN EXCEPTION.	08/12/2024
CC 21-3.b.8	PLEASE COMPLETELY REMOVE GRASS AND WEEDS FROM DIRT LANDSCAPE OR RETURN ALL DEAD BROWN GRASS IN THE FRONT AND/OR SIDE YARDS TO A GREEN LIVING STATE AND INSTALL GRASS IN THE BARE DIRT SECTIONS IN THE YARD, OR YOU MAY INSTALL A FORM OF ACCEPTABLE AND RECOGNIZABLE LANDSCAPE. THE LANDSCAPE COULD CONSIST OF GRAVEL, GRASS, DESERT, OR A COMBINATION OF EACH WITH DEFINED BORDERS.	08/12/202 4
CC 21-3.b.8	PLEASE REMOVE DEAD PORTIONS OF THE TREES/BUSHES IN THE FRONT AND/OR SIDE AND/OR BACK YARD LANDSCAPED AREAS. ALL LANDSCAPES MUST BE MAINTAINED FREE AND CLEAR OF ANY DEAD GROWTH.	08/12/2024

CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS MAY BE ISSUED

Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County State of Arizona

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aCl	your 18th	n birthday.			Ini	tials		_			D	ate issu	ed If not vio	lation date					

If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.

COMPLAINT



1790107

Tempe

Case No: 24-019063-4 Title: CITY OF TEMPE VS RYAN AYKROID

1932 E HUNTINGTON DRIVE TEMPE, AZ 85282 AYKROID, RYAN

Case Status: Closed Case Balance Owing: \$0.00 TPC Due Date:

Filed: 8/14/2024 Stayed Balance Owing: \$0.00 **TPC Amount Due:**

Cite Number Code Violation Date Description Filed Disposition **Disp Date**

Citations: 1

1790107A

21-3B8

08/12/2024

LANDSCAPING-DEAD, DAMAGED, UNCONTRO

8/14/2024

11 - PLEAD GUILTY/RESP - SENT IMPOSED

8/27/2024

Date	Cite Number	Action	Amount	Judge
8/14/2024		ATTC FILED		
8/14/2024	, contraction of the contraction	FIRST VIOLATION FEES APPLY A = \$200.00 TOTAL \$200.00		7.002.007
8/14/2024	1790107 A	CIVIL ARRAIGNMENT NLT 8/28/2024		
8/27/2024	1790107 A	11 - PLEAD GUILTY/RESP - SENT IMPOSED		
8/27/2024	1790107 A	FINE AND APPLICABLE FEES IMPOSED	\$200.00	줒
8/27/2024		FINES AND FEES PAID	\$200.00	
8/29/2024		CLOSED CASE FILE PURGE DATE SET TO 8/29/2029		
11/12/2024		SCANNED CASE FILE ATTACHED	STORE	and the second second

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