
**CITY OF TEMPE
HEARING OFFICER**

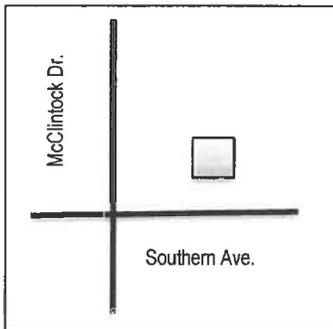
**Meeting Date: 6/18/2019
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the Eckenrode Property located at 3245 S. Kenwood Lane. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$940.00 for abatement request, remove all junk, trash and debris from the back yard, back patio and sides of 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 ECKENRODE 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 CE191241: remove all junk, trash and debris from the back yard, back patio and sides of property.



Property Owner	Sandra Eckenrode
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential
Code Compliance Inspector:	Michael Glab, Code Inspector

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Barbara Simons, Code Inspector

Reviewed by: Drew Yocom, Planning & Research Analyst

COMMENTS:

Code Compliance is requesting approval to abate the Eckenrode Property located at 3245 S. Kenwood Lane, in the R1-6, Single Family Residential district. This case was initiated 02/20/2019, 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

Project Submittal Application

City of Tempe
 Community Development Department
 31 E. 5th Street, Garden Level, Tempe, AZ 85281
 Building Safety - Phone: 480-350-8341 Fax: 480-350-8677
 Planning - Phone: 480-350-8331 Fax: 480-350-8872
 www.tempe.gov



Project Information - Required

Project Name: ECKENRODE ABATEMENT

Project Address: 3245 S KENWOOD LN Suite No.:

Proposed Use of Building/Suite: Existing Zoning: R1-6

Legal Description: Attached KNOELL TEMPE Parcel No.: 133-34-255

Description of Work/Request: ABATEMENT OF CE191241

JUNE 18, 2019

Valuation (for building plan review only):

Applicant Information - Required

Company or Firm Name: CITY OF TEMPE / CODE COMPLIANCE Telephone 1: () Ext: _____

Applicant's Name: MICHAEL GLAB / CODE INSPECTOR Telephone 2: (480) 350-5461 Ext: _____

Applicant's Street Address: 21 E 6TH ST SUITE 208 Fax: ()

City: TEMPE State: AZ Zip: 82821 Email Address(es):

Applicant Signature: *Michael S Glab* Date: 05-08-2019

For City Use Only

Planning	Fees	Building	Engineering	Submitted Materials:
<input type="checkbox"/> SPR		<input type="checkbox"/> New Building	<input type="checkbox"/> Engineering	<input type="checkbox"/> Building <input type="checkbox"/> Fire
<input type="checkbox"/> Dev Plan Review		<input type="checkbox"/> Complete	<input type="checkbox"/> Revision	<input type="checkbox"/> Planning <input type="checkbox"/> Signs
<input type="checkbox"/> Sign Permit		<input type="checkbox"/> Prelease	Tracking Nos.:	<input type="checkbox"/> Engineering
<input type="checkbox"/> Use Permit		<input type="checkbox"/> Basic	DS _____	<input type="checkbox"/> Spec Book(s) <input type="checkbox"/> Soils Report
<input type="checkbox"/> Variance		<input type="checkbox"/> Add/Alt	BP _____	<input type="checkbox"/> Structural Calcs <input type="checkbox"/> Report
<input type="checkbox"/> General Plan Amend		<input type="checkbox"/> TI	EN _____	<input type="checkbox"/> Truss Calcs <input type="checkbox"/> Materials
<input type="checkbox"/> Zoning Amend		<input type="checkbox"/> AFES (O/H)	PL _____	<input type="checkbox"/> Hydraulic Calcs <input type="checkbox"/> Color Board
<input type="checkbox"/> Zoning Verification Letter		<input type="checkbox"/> MF	X _____	<input type="checkbox"/> Parking Analysis <input type="checkbox"/> Haz Mat Form
<input type="checkbox"/> Subdivision/Condo		<input type="checkbox"/> NRes	PC _____	<input type="checkbox"/> Lighting Cut Sheets <input type="checkbox"/> Other
<input type="checkbox"/> PAD Overlay		<input type="checkbox"/> Res Remodel/Add	PPC _____	Total Valuation:
<input type="checkbox"/> Legal Posting Signs		<input type="checkbox"/> Pool	CA _____	Total Submittal Fees:
<input type="checkbox"/> Administrative Decision		<input type="checkbox"/> Demo	FR _____	Validation:
<input checked="" type="checkbox"/> Abatement		<input type="checkbox"/> Grading Only	RA _____	Date Stamp:
<input type="checkbox"/> Shared Parking		<input type="checkbox"/> Phased Constr	SGN _____	
<input type="checkbox"/> CCR Review		<input type="checkbox"/> Phased Constr w/UG MEP	PF _____	
<input type="checkbox"/> Continuance		<input type="checkbox"/> Structural Frame	MCA Code:	
<input type="checkbox"/> Appeal		<input type="checkbox"/> MEP Only	File With:	
<input type="checkbox"/> Other _____		<input type="checkbox"/> Mobile Home	Received By:	
Fire		<input type="checkbox"/> Factory Built Bldg		
<input type="checkbox"/> Tanks		<input type="checkbox"/> Deferred submittal		
<input type="checkbox"/> Spray Paint Booth		<input type="checkbox"/> Revision		
<input type="checkbox"/> Special Extinguishing		<input type="checkbox"/> New Standard		
<input type="checkbox"/> Fire Alarm		<input type="checkbox"/> Permits based on Standard #		
<input type="checkbox"/> Kitchen Hood System		<input type="checkbox"/> Suiting		
<input type="checkbox"/> Rack Storage		<input type="checkbox"/> Other _____		
<input type="checkbox"/> Hazmat				
<input type="checkbox"/> Other _____				

Planning Submittals are Subject to Dissemination to the Public
 Please See Reverse for Instructions, Submittal Information and Time Limit of Application

DATE: 05/08/2019

SUBJECT: ECKENRODE Abatement

LOCATION: 3245 S KENWOOD LN, TEMPE, AZ 85282

LEGAL: LOT 64, BOOK 121, PAGE 10, as recorded with the Maricopa County Assessor

OWNER: SANDRA ECKENRODE
1628 E SOUTHERN AVE STE 9-158
TEMPE, AZ 85282

FINDINGS:

In February 2019, a complaint was received by my office; violations of City Code were observed at the property; notice was mailed

In March 2019, I observed little to no change at property; had face to face conversation with tenant who said owner was responsible for mess; a second notice was mailed

In April 2019, I observed little to no change at property; had face to face conversation with different tenant, who said water heater broke, items outside due to remodel/repair, asked for extension until 04/15; Tenant came into our office 04/17/19 in person, requested extension until 04/22/19, which was granted; 04/22 passed, inspection conducted, violation remained; notice posted to structure

In May 2019, I had voicemail exchange with owner; she stated she was ill, roommates had been hiding her mail, wanted more time to comply. My message stated I would give her six more weeks' time by beginning the abatement process, would not cite her at this time, due to possibility of roommate hiding mail

One complaint has been received by my office related to this case, but numerous prior complaints have occurred in years' past for the same offense at this property

RECOMMENDATIONS:

The owner of this property, SANDRA ECKENRODE, has made little to no attempt to bring the property into compliance. SANDRA ECKENRODE has not had a prior abatement conducted on this property. Due to the failure of the property owner to address this matter, a 180 day open abatement period is being sought for this property. I therefore request the City of Tempe Community Development Abatement Hearing Officer for authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code.

Respectfully submitted,

MICHAEL GLAB
Code Inspector
City of Tempe

ACTION TAKEN: SUBMIT
NAME: [Signature]
DATE: 5 8 19



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 05/08/2019
Case #: CE191241

**SANDRA ECKENRODE
1628 E SOUTHERN AVE STE 9-158
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: 3245 S KENWOOD LN, TEMPE, AZ 85282
Parcel: 133-34-255

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of 06/18/2019. 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 Junk/debris

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 junk, debris, trash and/or stored items from parcel (e.g. backyard, back patio, sides of house, etc.)**

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 \$940.00. 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 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)350-8311.

**Code Inspector: Michael Glab
Phone Number: 480-350-5461
E-mail: Michael_Glab@tempe.gov**



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

02/22/2019

SANDRA ECKENRODE
1628 E SOUTHERN AVE STE 9-158
TEMPE, AZ 85282

Case #: CE191241
Site Address: 3245 S KENWOOD LN, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/20/2019 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; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the County Health Officer or this Code or any other ordinance of the City;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove stored items from exterior of property (e.g. backyard landscape, bicycle parts, cardboard boxes, laundry baskets, etc)	03/08/2019

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

Michael Glab
Code Inspector

Direct: 480-350-5461
Code Compliance: 480-350-8372
Email: Michael_Glab@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 \$75.00 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
CORRECTION NOTICE

02/22/2019

SANDRA ECKENRODE
3245 S KENWOOD LN
TEMPE, AZ 85282

Case #: CE191241
Site Address: 3245 S KENWOOD LN, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/20/2019 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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CC 21-3.b.1	Please remove stored items from exterior of property (e.g. backyard landscape, bicycle parts, cardboard boxes, laundry baskets, etc)	03/08/2019

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

Michael Glab
Code Inspector

Direct: 480-350-5461
Code Compliance: 480-350-8372
Email: Michael_Glab@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

03/21/2019

SANDRA ECKENRODE
1628 E SOUTHERN AVE STE 9-158
TEMPE, AZ 85282

Case #: CE191241
Site Address: 3245 S KENWOOD LN, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 03/20/2019 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove stored items from exterior of property (e.g. backyard landscape, bicycle parts, cardboard boxes, laundry baskets, etc)	04/04/2019

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

Michael Glab
Code Inspector

Direct: 480-350-5461
Code Compliance: 480-350-8372
Email: Michael_Glab@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

03/21/2019

SANDRA ECKENRODE
3245 S KENWOOD LN
TEMPE, AZ 85282

Case #: CE191241
Site Address: 3245 S KENWOOD LN, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 03/20/2019 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
POST TO STRUCTURE

04/23/2019

SANDRA ECKENRODE
3245 S KENWOOD LN
TEMPE, AZ 85282

Case #: CE191241
Site Address: 3245 S KENWOOD LN, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/23/2019 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

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CC 21-3.b.1	Please remove stored items from exterior of property (e.g. backyard landscape, bicycle parts, cardboard boxes, laundry baskets, etc)	05/01/2019

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HAMANN ENTERPRISES, LLC

2925 N 19TH AVE UNIT 97

PHOENIX, AZ 85015

(602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: MICHEAL GLAB

FIRM: CITY OF TEMPE

DATE: 5/8/19

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # T18-011-03

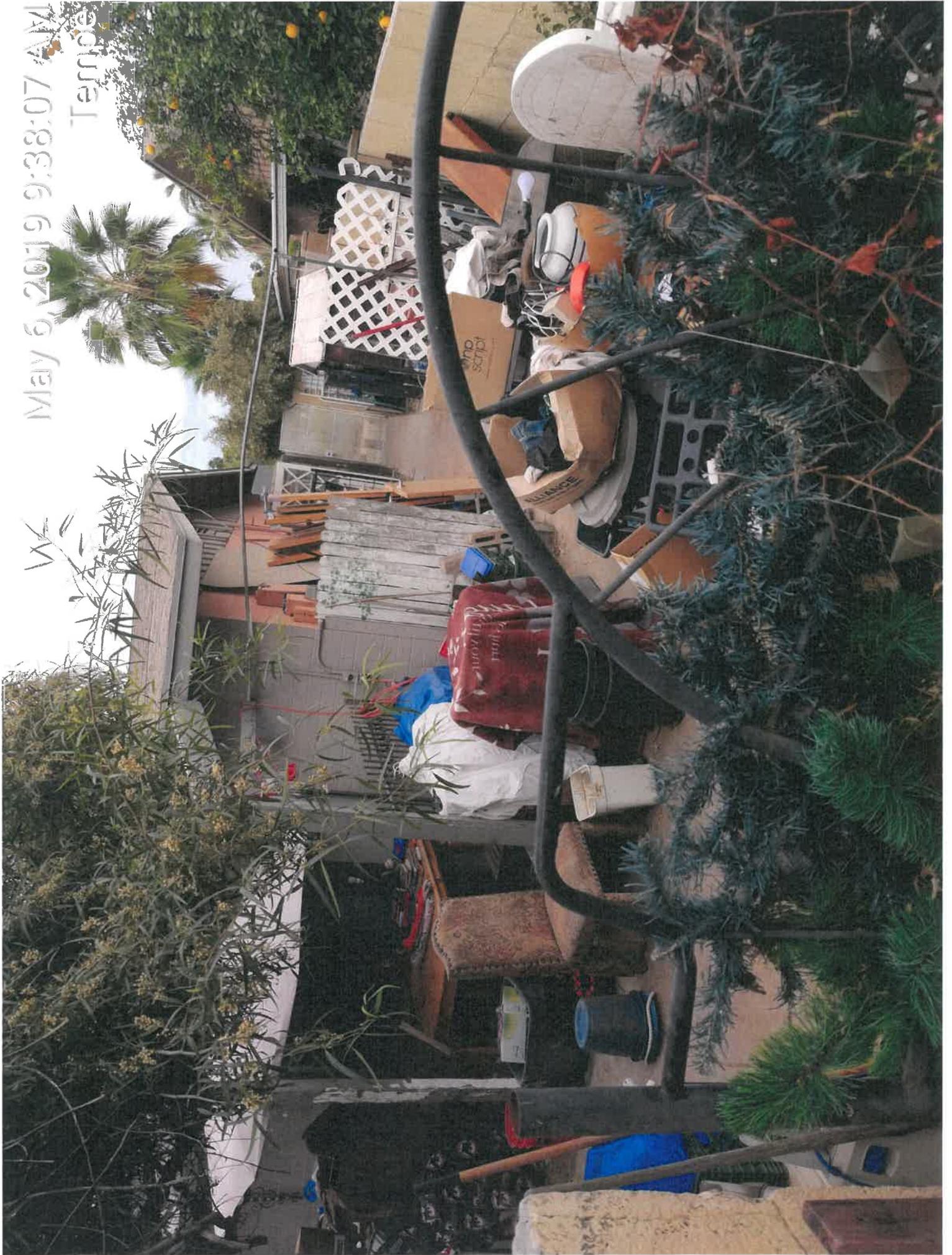
ADDRESS: 3245 S KENWOOD LN

1	REMOVAL OF STORED ITEMS IN BACK YARD	\$840.00
2	ESTAMATED DUMP FEES	\$100.00
3		\$0.00
4		\$0.00
5		\$0.00
6		\$0.00
TOTAL COST OF JOB		<hr/> \$940.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN

May 6, 2019 9:38:07 AM
Tempe



May 6, 2019 9:37:47 AM
Tempe

