
**CITY OF TEMPE
HEARING OFFICER**

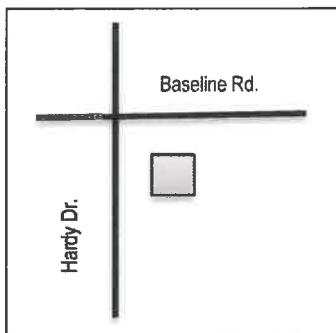
**Meeting Date: 7/16/2019
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the Honsik Property located at 847 W. Rice Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$335.00 for abatement request, landscape cleanup in the front yard.

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 HONSIK 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 CE192073: landscape cleanup in the front yard.



Property Owner	Bruce Honsik
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-4, Single Family Residential
Code Compliance Inspector:	Brandy Zedlar, 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 Honsik Property located at 847 W. Rice Drive, in the R1-4, Single Family Residential district. This case was initiated 03/22/2019, 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

Planning Application

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	Honsik Abatement	EXISTING ZONING	R1-4 <input type="checkbox"/>
PROJECT ADDRESS	847 W. Rice DR. Tempe, AZ 85283	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement to include: Landscape clean-up in the front yard. Case #CE192073 Hearing Date: July 16, 2019	PARCEL No(s)	301-04-235 <input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)			
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
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or attach written statement authorizing the applicant to file the application(s)

APPLICANT INFORMATION – REQUIRED			
COMPANY / FIRM NAME	City Of Tempe - Code Compliance	ADDRESS	
CONTACT NAME	Brandy Zedlar	CITY	STATE ZIP
EMAIL	brandy_zedlar@tempe.gov	PHONE 1 (480) 350-8623	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 <i>Brandy Zedlar</i>	DATE	6/17/19
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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. SUBDIVISIONS / CONDOMINIUMS			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	1		CE	CM
TOTAL NUMBER OF APPLICATIONS	1			

FOR CITY USE ONLY			
DS TRACKING #	FILE THIS APPLICATION WITH CE / CM TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			TOTAL APPLICATION FEES
SPR TRACKING # (if 2 nd or 3 rd submittal, use planning resubmittal form)			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

DATE: 6/07/19
TO: Jeff Tamulevich, Code Administrator
FROM: Brandy Zedlar
SUBJECT: Request to Authorize for Abatement– Reference Complaint #CE192073

LOCATION: 847 W. Rice Dr., Tempe, AZ 85283
LEGAL: Parcel #301-04-235 as recorded with the Maricopa County Assessor
OWNER: BRUCE HONSIK
847 W Rice Dr.
Tempe, AZ 85283

FINDINGS:

03/22/19 – The Code Compliance Division received a complaint on the above property concerning deteriorated landscape.

03/27/19 - The property was inspected and found to have weeds/grass growing within the gravel landscape. Notice was posted on the front door to contact Wells Fargo regarding property violations. I spoke with Wells Fargo and they stated the property would be cleaned immediately.

4/23/19 – I spoke to Wells Fargo and they stated the owner is now responsible for property maintenance. Mailed first notice to Mr. Honsik for deteriorated landscape.

05/14/19 – The property was inspected and found no improvement. Final correction notice was mailed to Mr. Honsik.

06/07/19 – The property was inspected with no change to its condition. Code Compliance filed for an Abatement Hearing.

PROPERTY HISTORY:

Property was abated by the City of Tempe in 2014 and 2016.

RECOMMENDATIONS:

I recommend the approval for abatement at 847 W. Rice Dr. which is owned by Mr. Bruce Honsik. Mr. Honsik has been given ample time and opportunities to bring his property into compliance and has failed to take any corrective action. Since Mr. Honsik is unable to maintain his property, I am requesting approval for continuous abatements in the next 180 days if deemed necessary. There has been no indication from Mr. Honsik that he plans to correct and maintain his property.

Respectfully submitted,
Brandy Zedlar

ACTION TAKEN:

NAME:

DATE:

Submit
[Signature]
6/7/19



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-4311

Code Compliance Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: June 7, 2019

TO: Bruce Honsik
847 W. Rice Dr
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:

LEGAL: Parcel #301-04-235, as recorded with the Maricopa County Assessor.

LOCATION 847 W. Rice Dr., Tempe, AZ 85283

This office will submit this complaint to the Abatement Hearing Officer to be placed on the Hearing Officer agenda of July 16, 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: Those items constituting a violation of TCC 21-3-b-8 which would include the following: landscape clean-up in the front yard.

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. 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 \$ 335.00 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 Enforcement Officer: Brandy Zedlar

Phone Number 480-350-8623

HAMANN ENTERPRISES, LLC

2925 N 19TH AVE UNIT 97

PHOENIX, AZ 85015

(602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: BRANDI ZEDLAR

FIRM: CITY OF TEMPE

DATE: 5/10/19

PROPOSAL

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

ADDRESS: 847 W RICE DR

1 REMOVAL OF TALL WEEDS, GRASS AND DEBRIS FROM FRONT YARD	\$315.00
2 ESTAMATED DUMP FEES	\$20.00
3	\$0.00
4	\$0.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	<hr/> \$335.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN

301-04-235 Residential Parcel

This is a residential parcel located at [847 W RICE DR TEMPE 85283](#), and the current owner is HONSIK BRUCE A. It is located in the Pepperwood Townhomes Unit 1 Lot 1-119 & Tr A-e subdivision and MCR 21206. Its current year full cash value is \$175,100.

Property Information**[847 W RICE DR TEMPE 85283](#)**

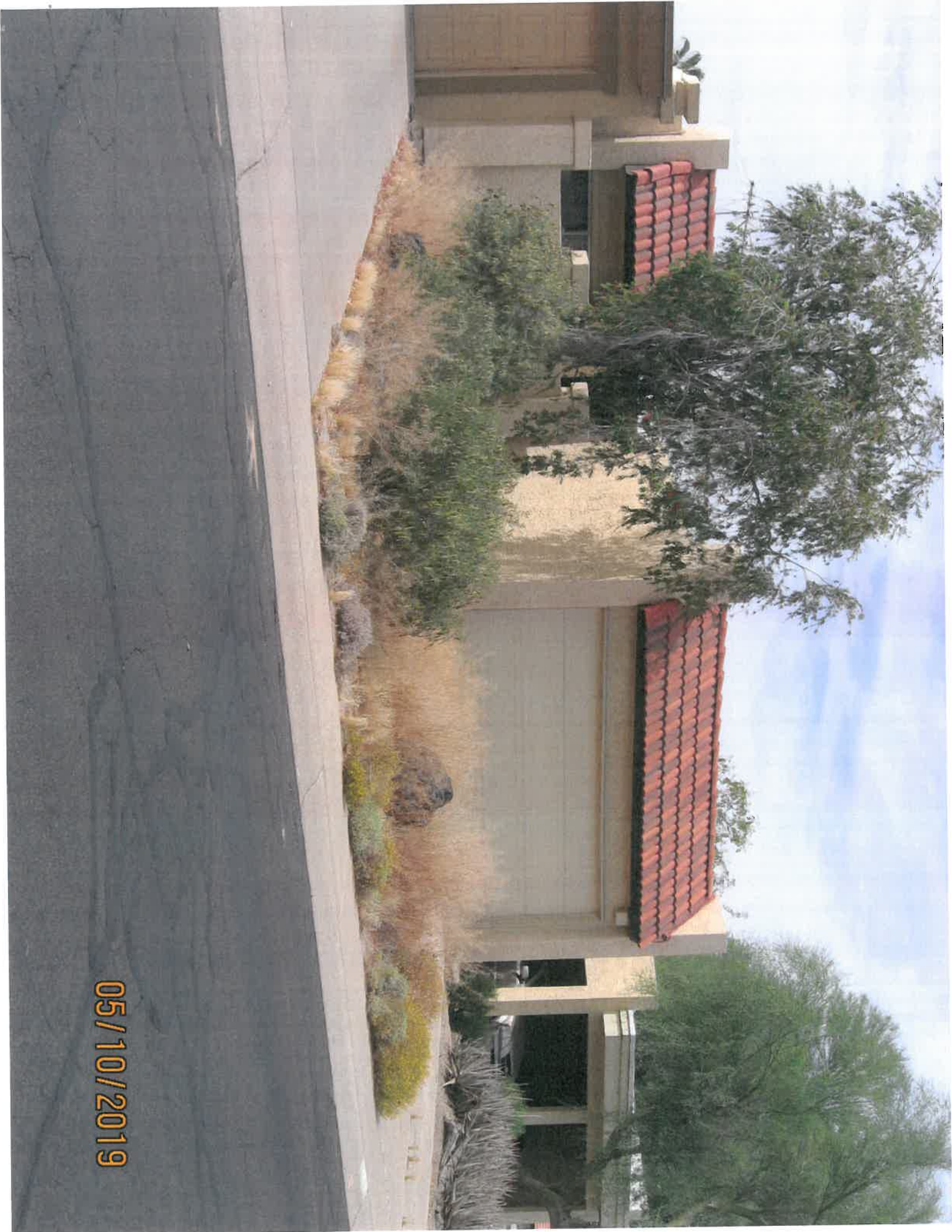
MCR #	21206
Description:	PEPPERWOOD TOWNHOMES UNIT 1 MCR 212-6
Lat/Long	33.37655461 -111.95221573
Lot Size	3,419 sq ft.
Zoning	R1-4
Lot #	118
High School District	TEMPE UNION #213
Elementary School District	TEMPE ELEMENTARY SCHOOL DISTRICT
Local Jurisdiction	TEMPE
S/T/R	4 1S 4E
Market Area/Neighborhood	02/012
Subdivision (124 Parcels)	PEPPERWOOD TOWNHOMES UNIT 1 LOT 1-119 & TR A-E

Owner Information**[HONSIK BRUCE A](#)**

Mailing Address	847 WEST RICE DR, TEMPE, AZ 85283
Deed Number	840011298
Last Deed Date	01/10/1984
Sale Date	n/a
Sale Price	n/a



05/10/2019



05/10/2019



05/10/2019