
**CITY OF TEMPE
HEARING OFFICER**

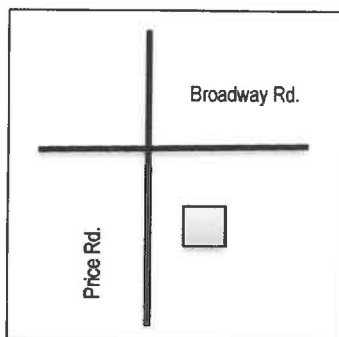
**Meeting Date: 8/06/2019
Agenda Item: 8**

ACTION: Request approval to abate public nuisance items at the Lehen Property located at 2308 E. Bishop Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$3288.00 for abatement request, scrape all growth to achieve bare dirt landscape.

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 LEHLEN 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 CE188411: scrape all growth to achieve bare dirt landscape.



Property Owner: David Lehen
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 Lehen Property located at 2308 E. Bishop Drive, in the R1-6, Single Family Residential district. This case was initiated 12/17/2018, 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	LEHNEN ABATEMENT	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	2308 E BISHOP DR TEMPE AZ 85282	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	BROADWAY PALMS ABATEMENT OF CE188411 AUGUST 06, 2019	PARCEL No(s)	134-40-177 <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)			
BUSINESS NAME	ADDRESS	CITY	STATE ZIP
CONTACT NAME	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 SUITE 208
CONTACT NAME	MICHAEL GLAB / CODE INSPECTOR	CITY	TEMPE STATE AZ ZIP 85281-3681
EMAIL	michael_glab@tempe.gov	PHONE 1	(480) 350-5461 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 *Michael J Glab* DATE 7/1/2019

BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME	ADDRESS	CITY	STATE ZIP
CONTACT NAME	PHONE	EMAIL	
TYPE OF BUSINESS			

APPLICATION (check all that apply)	QTY	SPECIFIC REQUEST (see 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			CE	CM
TOTAL NUMBER OF APPLICATIONS	0			

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

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

DATE: 07/01/2019

SUBJECT: LEHNEN Abatement

LOCATION: 2308 E BISHOP DR, TEMPE, AZ 85282

LEGAL: LOT 174, BOOK 163, PAGE 17, as recorded with the Maricopa County Assessor

OWNER: **DAVID LEHNEN**
2308 E BISHOP DR
TEMPE, AZ 85282

FINDINGS:

In December of 2018, a complaint was received by my office; violations of City Code were observed at the property and notice was mailed to the property owner

In January of 2019, I observed little to no change at the property; violations remained; a second notice was mailed to the property owner

In March of 2019, I observed little to no change at the property; violations remained; a notice was posted to the front of the structure

In April of 2019, I observed little to no change at the property; violations remained; citation issued and posted to front of structure. Received phone response from resident due to citation. Resident stated I would see progress on property

In May of 2019, I observed possible progress in the front yard; planned to follow up several weeks later

In June of 2019, I observed little to no change at the property; violations remained; second citation issued and posted to front of structure

RECOMMENDATIONS:

The owner(s) of this property, DAVID LEHNEN, has made little to no attempt to bring the property into compliance. DAVID LEHNEN has not had a prior abatement conducted on this property. Due to the failure of the property owner(s) 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: _____

NAME _____

DATE: _____

Signature
7 1 19



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 07/01/2019
Case #: CE188411

**DAVID LEHNEN
2308 E BISHOP 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: 2308 E BISHOP DR TEMPE, AZ 85282
Parcel: 13440177

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda to be held on 08/06/2019 at 5pm, at the Tempe History Museum, located at 809 E. Southern Ave., Tempe. 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 Deteriorated landscape

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 seed/water yard if yard is supposed to be grass landscape, OR; please remove grass/weeds and add gravel if yard is supposed to be gravel landscape, OR; please scrape yard clean and have it bare dirt over entirety

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 \$3,288.00. 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)350-4311.

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



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

12/17/2018

DAVID LEHNEN
2308 E BISHOP DR
TEMPE, AZ 85282

Case #: CE188411
Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 12/13/2018 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 characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	01/22/2019

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

12/17/2018

DAVID LEHNEN
 4041 MOUNTAIN PASS DR
 PLANO, TX 75023

Case #: CE188411
 Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 12/13/2018 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 characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	01/22/2019

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

01/29/2019

DAVID LEHNEN
2308 E BISHOP DR
TEMPE, AZ 85282

Case #: CE188411
Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 01/29/2019 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground;
CC 21-38.h	Every rental housing unit shall have landscaping in all yard areas which are visible from a public street, alley or sidewalk or a neighboring property. Such landscaping shall be installed and maintained so as to enhance the appearance and value of the property on which it is located and shall not present a deteriorated or slum-like appearance.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	02/28/2019
CC 21-38.h	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	02/28/2019

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

01/29/2019

DAVID LEHNEN
 4041 MOUNTAIN PASS DR
 PLANO, TX 75023

Case #: CE188411
 Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 01/29/2019 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
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CC 21-38.h	Every rental housing unit shall have landscaping in all yard areas which are visible from a public street, alley or sidewalk or a neighboring property. Such landscaping shall be installed and maintained so as to enhance the appearance and value of the property on which it is located and shall not present a deteriorated or slum-like appearance.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	02/28/2019
CC 21-38.h	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	02/28/2019

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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Civil and Criminal Penalties

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COMMUNITY DEVELOPMENT DEPARTMENT
 CODE COMPLIANCE
 POST TO STRUCTURE

03/06/2019

DAVID LEHNEN
 2308 E BISHOP DR
 TEMPE, AZ 85282

Case #: CE188411
 Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 03/05/2019 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
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CC 21-38.h	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	04/08/2019

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Michael Glab
 Code Inspector

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

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CITATION

04/12/2019

DAVID LEHNEN
2308 E BISHOP DR
TEMPE, AZ 85282

Case #: CE188411
Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/10/2019 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
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CC 21-38.h	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	04/26/2019

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
CITATION

06/18/2019

DAVID LEHNEN
2308 E BISHOP DR
TEMPE, AZ 85282

Case #: CE188411
Site Address: 2308 E BISHOP DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 06/18/2019 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please seed/water the front yard grass landscape, so that the grass is returned to a living state and appears greenish in color; that any dirt patches are now growing grass. If not planning to continue growing grass, please replace the landscape with another approved landscaping material, such as gravel, rock, stone, etc.	07/18/2019

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.

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1701825		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 CE188411					
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language																	
Defendant		Name (First, Middle, Last) DAVID C LEHNEN										Juvenile					
Residence Address, City, State, Zip Code 4041 MOUNTAIN PASS DR. PLANO TX 75023												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 checked="" 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 2308 E BISHOP DR							<input checked="" type="checkbox"/> Tempe		State of Arizona							
The Defendant Committed the Following:																	
A	Section: TCC 21368		ARS CC		Violation: DETERIORATED LANDSCAPE		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code			<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
B	Section: TCC 2138h		ARS CC		Violation: RENTAL HOUSING LANDSCAPE		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code			<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
C	Section:		ARS CC		Violation:		<input type="checkbox"/> 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			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
D	Section:		ARS CC		Violation:		<input type="checkbox"/> 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			
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
E	Section:		ARS CC		Violation:		<input type="checkbox"/> 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			
	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: 04/26/19		Time: Between 9AM & 4PM							
		<input type="checkbox"/> Court:		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		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.						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 POSTED COPY TO STRUCTURE MAILED ORIGINAL CERTIFIED						Complainant Michael S. [Signature]		Date 04/12/19		PSN 8041							
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. Initials _____						1ST CITE = \$200.00		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.



1701825

COMPLAINT

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1701891		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 CE188411					
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language																	
Defendant		Name (First, Middle, Last) DAVID C LEHNEN										Juvenile					
Residence Address, City, State, Zip Code 2308 E BISHOP 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	Day	Year	Time	<input type="checkbox"/> AM <input checked="" 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 2308 E BISHOP DR										<input checked="" type="checkbox"/> Tempe	State of Arizona		Area	Dist.		
The Defendant Committed the Following:																	
A	Section: TCC 21-3a		ARS Violation: 21-3(b)(8) DETERIORATED LANDSCAPE		<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense						
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
B	Section:		ARS Violation:		<input type="checkbox"/> 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						
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
C	Section:		ARS Violation:		<input type="checkbox"/> 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						
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
D	Section:		ARS Violation:		<input type="checkbox"/> 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						
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:										
MVD																	
E	Section:		ARS Violation:		<input type="checkbox"/> 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						
	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: 07/02/19		Time: Between 9AM & 4PM									
		<input type="checkbox"/> Court:		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		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.				Victim? <input type="checkbox"/>		Victim Notified? <input type="checkbox"/>							
X POSTED TO STRUCTURE				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.				Michael J Hill		8041							
				Complainant				COE COMPLIANCE		PSN							
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. Initials _____				2ND CITE = \$300.00													
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.



1701891

COMPLAINT



June 19, 2019

City of Tempe
Attn: Michael Glab
Code Inspector

RE: Clean up – 2308 E Bishop Drive

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 below at 2308 E Bishop Drive in the City of Tempe. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

- Weed whacking/scraping of yard, so that dead grass/weeds are removed and bare dirt is the primary surface which remains
- P.D. presence on site for duration of visit
- Haul away and disposal of yard waste

Total = \$3,288.00

Respectfully,

Jose Hernandez

Mar 8, 2019 2:02:23 PM
Tempe



Apr 15, 2019 1:48:00 PM
Tempe





Jun 19, 2019 10:27:44 AM

Tempe

Jun 25, 2019 12:07:51 PM

Tempe

