

**CITY OF TEMPE
HEARING OFFICER**

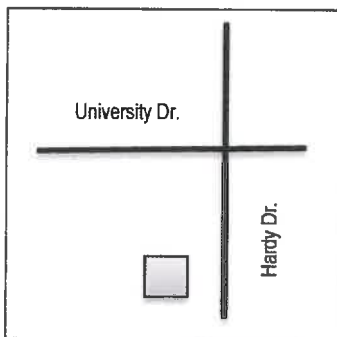
**Meeting Date: 9/03/2019
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the Webb Property located at 1011 W. 12th Street. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$420.00 for abatement request, cut over-height grass and weeds 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 WEBB 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 CE194226: cut over-height grass and weeds in the front yard.



Property Owner	Alfred Webb
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential
Code Compliance Inspector:	Andres Lara-Reyes, 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 Webb Property located at 1011 W. 12th Street, in the R1-6, Single Family Residential district. This case was initiated 06/14/2019, 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	ALFRED WEBB			EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1011 W 12TH ST, TEMPE, AZ 85281			SUITE(S)	CE194226 <input type="checkbox"/>
PROJECT DESCRIPTION	OVER HEIGHT GRASS & WEEDS, DEAD PLANTS & BUSHES. HEARING DATE: SEPTEMBER 3, 2019			PARCEL No(s)	124-77-090 <input type="checkbox"/>
PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)					
BUSINESS NAME	ALFRED WEBB	ADDRESS	1011 W 12TH ST		
CONTACT NAME		CITY	TEMPE, 85281	STATE	AZ ZIP
EMAIL		PHONE 1		PHONE 2	
<i>I hereby authorize the applicant below to process this application with the City of Tempe.</i>					
PROPERTY OWNER SIGNATURE <input checked="" type="checkbox"/>				DATE	
or attach written statement authorizing the applicant to file the application(s)					
APPLICANT INFORMATION - REQUIRED					
COMPANY / FIRM NAME	CITY OF TEMPE	ADDRESS			
CONTACT NAME	ANDRES LARA-REYES	CITY		STATE:	ZIP
EMAIL		PHONE 1	(480) 350-8963	PHONE 2	
<i>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.</i>					
APPLICANT SIGNATURE <input checked="" type="checkbox"/>				DATE 7/25/2019	
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 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: 07/24/2019
TO: Jeff Tamulevich, Code Compliance Administrator
FROM: Andres Lara-Reyes
SUBJECT: Request to Authorize for Abatement– Reference Complaint # CE194226

LOCATION: 1011 W 12TH ST, TEMPE, AZ 85281
LEGAL: Parcel #124-77-090, as recorded with the Maricopa County Assessor
OWNER: ALFRED WEBB
8630 S HAZELTON LN
TEMPE, AZ 85284

FINDINGS:

1011 W 12TH ST is currently in violation of City of Tempe's Nuisance Code 21-3-b-8 in regard to over height grass and weeds and dead plants and bushes.

The lot has been in violation since 06/13/2019 with the initial violation being over height grass and weeds. There has been no effort from the owner to clean up the property.

The owner ALFRED WEBB has been issued several correction notices in an attempt to correct the violation. As stated above, no effort from the owner to clean up the property has been done, which means the property violation remains unresolved as of this date. Notice of intent to abate was mailed to the owner and posted to the property.

RECOMMENDATIONS:

ALFRED WEBB has not made an attempt to remedy the violation upon the property at 1011 W 12TH ST. Since this property remains in violation, without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Development Services 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. ALFRED WEBB has given no indication that he plans on correcting the violation and maintaining the property.

Respectfully submitted,
Andres Lara-Reyes

ACTION TAKEN: Submit
NAME: [Signature]
DATE: 7 25 19



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 07/24/2019
Case #: CE194226

**WEBB ALFRED
PO BOX 8673
SCOTTSDALE, AZ 85252**

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

Location: 1011 W 12TH ST TEMPE, AZ 85281
Parcel: 12477090

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of September 3, 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.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;

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 all over height grass and weeds in the front yard.

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 \$420.00. 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: Andres Lara-Reyes
Phone Number: 480-350-8963
E-mail: andres_lara-reyes@tempe.gov

HAMANN ENTERPRISES, LLC
2925 N 19TH AVE UNIT 97
PHOENIX, AZ 85015
(602) 575-4455
hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: ANDRES LARA-REYES

FIRM: CITY OF TEMPE

DATE: 7/18/19

PROPOSAL

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

ADDRESS: 1011 W 12TH ST

1 LANDSCAPE FRONT AND SIDE YARDS	\$400.00
2 ESTAMATED DUMP FEES	\$20.00
3	\$0.00
4	\$0.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	<hr/> \$420.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN

124-77-090 Residential Rental Parcel

This is a residential parcel located at 1011 W 12TH ST TEMPE 85281, and the current owner is WEBB ALFRED. It is located in the Parkway Manor 4 subdivision and MCR 10223. Its current year full cash value is \$218,300.

Property Information**1011 W 12TH ST TEMPE 85281**

MCR #	<u>10223</u>
Description:	PARKWAY MANOR 4
Lat/Long	<u>33.41608350 -111.95267850</u>
Lot Size	7,026 sq ft.
Zoning	R1-6
Lot #	218
High School District	TEMPE UNION #213
Elementary School District	TEMPE ELEMENTARY SCHOOL DISTRICT
Local Jurisdiction	TEMPE
S/T/R	21 1N 4E
Market Area/Neighborhood	02/004
Subdivision (90 Parcels)	<u>PARKWAY MANOR 4</u>

Owner Information**WEBB ALFRED**

Mailing Address	PO BOX 8673, SCOTTSDALE, AZ 85252
Deed Number	<u>910312374</u>
Last Deed Date	07/05/1991
Sale Date	n/a
Sale Price	n/a



Maricopa County Treasurer's Office

Royce T. Flora, Treasurer

Tax Summary 124-77-090 1

Current Mailing Name & Address

WEBB ALFRED
PO BOX 2674
SCOTTSDALE, AZ 85252-2674

Property (Situs) Address

1011 W 12TH ST
TEMPE, AZ 85281

2018 Tax Due

Assessed Tax:	\$1,542.78	Tax Paid:	\$1,542.78	Total Due:	\$0.00
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[View 2018 Tax Details](#)

[Create Stub](#)

[View Additional Tax Years](#)

Total Amount Due

Total Amount Due: \$0.00

Total amount due does not reflect any pending payments. Amount may change based on activity to this parcel.

NOTE: Your property may be subject to additional tax liens listed under previous parcel numbers.

301 West Jefferson, Suite 100, Phoenix, Arizona 85003
 2348 (602)506-8511 TT (602)506-
 FAX (602)506-1102 Disclaimer

Preferences Help You are logged in as Andres Lara-Reyes

Home Menu History Control Central Clear Refresh

Main Account Information Customer Information Account Tree Premise Tree Bill/Payment Tree Pay

Current Context

Person
 Account ID
 Premise 1011 W 12TH ST, TEMPE, AZ, 85281-5363

SA Premise List

Premise Information

Premise Information	1011 W 12TH ST, TEMPE, AZ, 85281-5363
CIS Division	City of Tempe
SRP Code	Member
Solid Waste Service Location	Alley Service
Taxing City	City of Tempe
Service Point Information	Solid Waste Residential/Monday Trash Thursday Recycle/10
Service Point Information	Water Single-family Residential/Water - Block 1 Fixed Network
Meter Configuration	Water - 5/8 " Meter, 15181012, Eff 08-30-2017 11:17AM , S
Last Meter Read	07-14-2019 04:00PM
Next Meter Read	08-15-2019 (Water - Block 1 Fixed Network)

Field Activity Information

Schedule Date/Time Start	Field Activity Information
07-13-2017 12:00AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, On-li
04-15-2016 10:22AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, On-li
09-09-2014 12:00AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, On-li
05-07-2014 12:00AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, On-li
04-10-2012 12:00AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, Start
04-09-2012 05:31AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, Seve
04-03-2012 05:31AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, Seve
02-02-2012 05:31AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, Seve
01-31-2012 05:31AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, Seve
12-06-2011 09:52AM	1011 W 12TH ST, TEMPE, AZ, 85281-5363,Water Single-family Residential, High

Account Financial History

Billed Consumption



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

06/14/2019

ALFRED WEBB
8630 S HAZELTON LN
TEMPE, AZ 85284

Case #: CE194226
Site Address: 1011 W 12TH ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 06/14/2019 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	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please cut all over height grass and weeds in the front yard landscape area.	06/28/2019
CC 21-3.b.8	Please remove all grass and weeds over gravel in the east yard landscape area.	06/28/2019

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

Andres Lara-Reyes
Code Inspector

Direct: 480-350-8963
Code Compliance: 480-350-8372
Email: andres_lara-reyes@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

06/14/2019

ALFRED WEBB
PO BOX 8673
SCOTTSDALE, AZ 85252

Case #: CE194226
Site Address: 1011 W 12TH ST, TEMPE, AZ 85281

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

06/28/2019

ALFRED WEBB
PO BOX 8673
SCOTTSDALE, AZ 85252

Case #: CE194226
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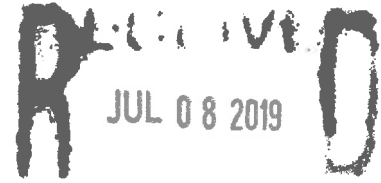
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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

06/28/2019



ALFRED WEBB
PO BOX 8673
SCOTTSDALE, AZ 85252

Case #: CE194226
Site Address: 1011 W 12TH ST, TEMPE, AZ 85281

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PLANNING AND DEVELOPMENT DEPARTMENT
 CODE COMPLIANCE
 VIOLATION CORRECTION NOTICE

RECEIVED
 JUL 08 2019

City of Tempe
 Community Development
 Code Compliance
 P.O. Box 5002, Mail Stop 03-2
 Tempe, Arizona 85280

RETURN SERVICE REQUESTED



On 06/28/2019 and found to be in violation of the City of Tempe's Landscaping and Property Enhancement Ordinance, Chapter 21, which states that the property in question may result in civil citation or criminal charges.

	SITE REINSP ON OR AFTER
damaged or characterized by uncontrolled growth or appearance;	
edges in the front yard landscape area.	07/12/2019
er gravel in the east yard landscape area.	07/12/2019

distance. Thank you for your cooperation in this matter.

Direct: 480-350-8963
Code Compliance: 480-350-8372
Email: andres_lara-reyes@tempe.gov

During at this property in a calendar year, the property is in violation of City Code Section 21-51, subsection (b).

Sections 21-4; 21-13; Section 21-24; Section 21-38, 1st occurrence \$170 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation. | Sections 21-9, 21-10, 21-11, 21-12, 21-14, 21-15, 21-16, 21-17, 21-18, 21-19, 21-20, 21-21, 21-22, 21-23, 21-24, 21-25, 21-26, 21-27, 21-28, 21-29, 21-30, 21-31, 21-32, 21-33, 21-34, 21-35, 21-36, 21-37, 21-38, 21-39, 21-40, 21-41, 21-42, 21-43, 21-44, 21-45, 21-46, 21-47, 21-48, 21-49, 21-50, 21-51, 21-52, 21-53, 21-54, 21-55, 21-56, 21-57, 21-58, 21-59, 21-60, 21-61, 21-62, 21-63, 21-64, 21-65, 21-66, 21-67, 21-68, 21-69, 21-70, 21-71, 21-72, 21-73, 21-74, 21-75, 21-76, 21-77, 21-78, 21-79, 21-80, 21-81, 21-82, 21-83, 21-84, 21-85, 21-86, 21-87, 21-88, 21-89, 21-90, 21-91, 21-92, 21-93, 21-94, 21-95, 21-96, 21-97, 21-98, 21-99, 21-100. | Zoning subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-40 occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Sections 21-1, 21-2, 21-3, 21-4, 21-5, 21-6, 21-7, 21-8, 21-9, 21-10, 21-11, 21-12, 21-13, 21-14, 21-15, 21-16, 21-17, 21-18, 21-19, 21-20, 21-21, 21-22, 21-23, 21-24, 21-25, 21-26, 21-27, 21-28, 21-29, 21-30, 21-31, 21-32, 21-33, 21-34, 21-35, 21-36, 21-37, 21-38, 21-39, 21-40, 21-41, 21-42, 21-43, 21-44, 21-45, 21-46, 21-47, 21-48, 21-49, 21-50, 21-51, 21-52, 21-53, 21-54, 21-55, 21-56, 21-57, 21-58, 21-59, 21-60, 21-61, 21-62, 21-63, 21-64, 21-65, 21-66, 21-67, 21-68, 21-69, 21-70, 21-71, 21-72, 21-73, 21-74, 21-75, 21-76, 21-77, 21-78, 21-79, 21-80, 21-81, 21-82, 21-83, 21-84, 21-85, 21-86, 21-87, 21-88, 21-89, 21-90, 21-91, 21-92, 21-93, 21-94, 21-95, 21-96, 21-97, 21-98, 21-99, 21-100. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

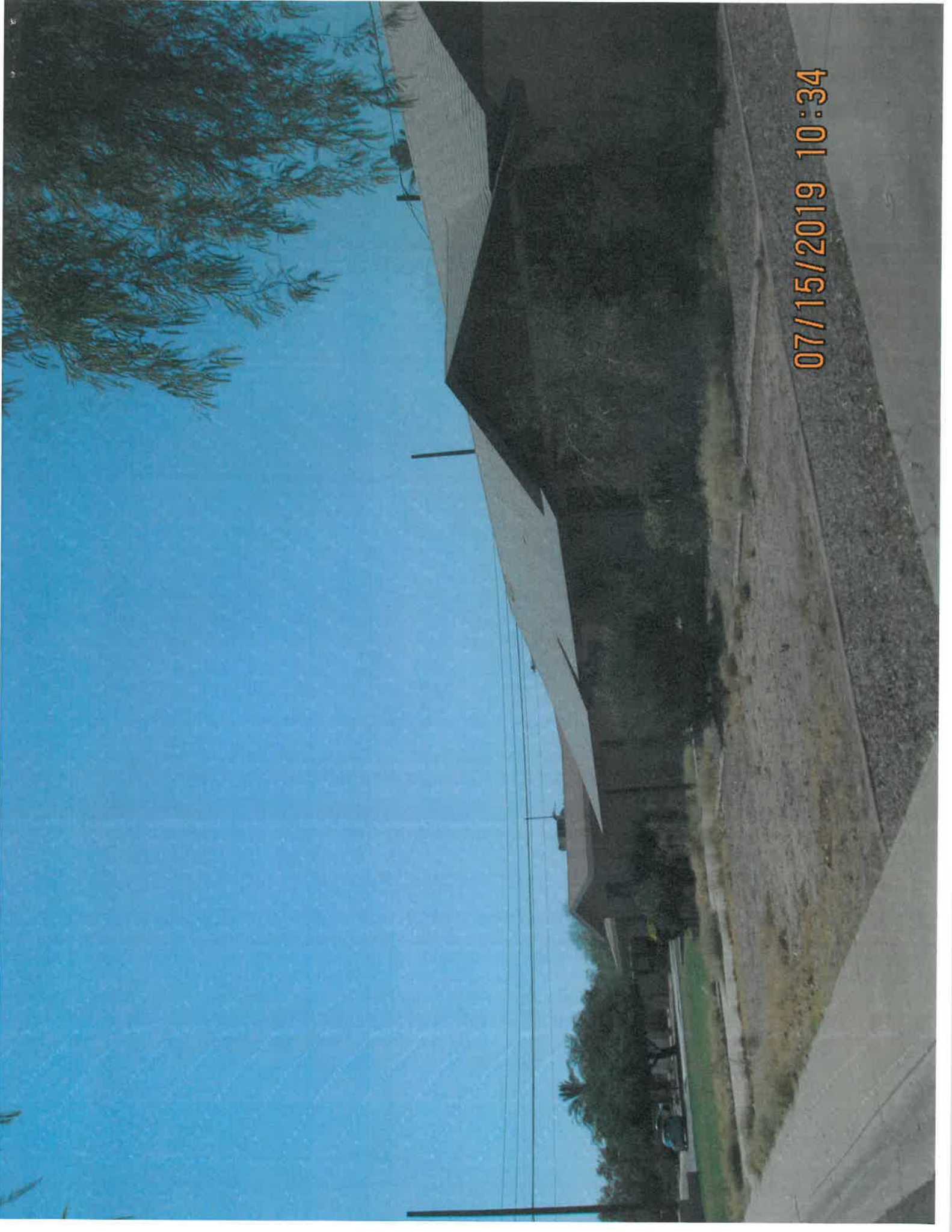
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