

MINUTES HEARING OFFICER August 20, 2019

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Tempe History Museum located at 809 East Southern Avenue, Tempe, Arizona 85282 at 5:00pm.

REGULAR SESSION 5:00 PM

Present:

Vanessa MacDonald, Hearing Officer
Jeff Tamulevich, Code Compliance Administrator
Drew Yocom, Code Compliance Analyst
Shelbie Meyer, Administrative Assistant

There was one (1) interested citizen present at the regular session.

Meeting convened at 5:00 PM and was called to order by Vanessa MacDonald. Hearing Officer MacDonald stated anyone wishing to appeal a decision will need to file a written appeal within fourteen (14) calendar days, by August 20, 2019 at 3:00 PM, to the Community Development Department.

1. The following was noted:

• **Agenda Item No. 1**

August 6, 2019 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the August 6, 2019 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the STORM PROPERTY located at 1105 W. Elna Rae Street. The applicant is the City of Tempe (CE191569).

Andres Lara-Reyes, Code Inspector, gave the following overview of this case:

- Requested a 180-day open abatement of this property for grass and weeds in gravel landscape.
- On March 5, 2019, a complaint was submitted through Code Compliance for junk and debris, furniture, buckets, and containers in carport, and grass and weeds in gravel landscape.
- Notices were sent and posted to property.
- As of August 20, 2019, Inspector Lara-Reyes noticed major improvements to the property. Though the remainder of the grass and weeds need to be brought up to code.

Daryl Steele, grandson of property owner, spoke on this case:

- Stated that he did not see any weeds in gravel landscape that was presented by Inspector Lara-Reyes.
- Mr. Steele spoke about the appeal process and abatements of this property in the past.
- Mr. Steele claims that Inspector Lara-Reyes was trespassing.
- He stated that two (2) inches of grass is allowed in the gravel by code.
- Code Compliance Administrator, Jeff Tamulevich, stated that grass or weeds, no matter what height, is not allowed in gravel.
- Mr. Steele presented a 30-day violation notice dated back in July 10, 2019 for mediation. Hearing Officer MacDonald assessed the notice and clarified that he has had over 30 days. Steele said he has not received the prior notices because he does not live at the property and the government is paying this property's taxes. He also indicated that he does not own this property.
- Mr. Steele requested a two (2) week extension, Hearing Officer MacDonald reminded him that he has fourteen (14) calendar days to remedy the property which would be the same as a two (2) week extension.

Hearing Officer MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Hearing Officer, Vanessa MacDonald, announced that the next hearing officer will take place on September 3, 2019.

With no further business, the public hearing adjourned at 5:24 PM.

Prepared by: Shelbie Meyer
Reviewed by: Jeff Tamulevich

Jeff Tamulevich, Code Compliance Administrator
For Vanessa MacDonald, Hearing Officer

JT: sm