

**CITY OF TEMPE  
HEARING OFFICER**

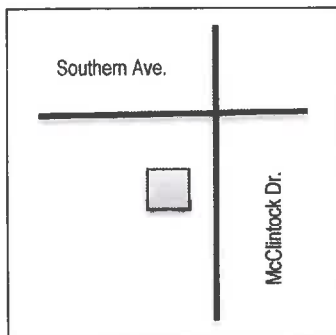
**Meeting Date: 03/17/2020  
Agenda Item: 4**

**ACTION:** Request approval to abate public nuisance items at the Stutzman Property located at 1717 E. Pebble Beach Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$1587.00 for abatement request: Remove trash, litter and debris from property, return pool to clean and clear state, repair alley gate, remove trailer from front of property, remove grass/weeds from gravel landscape on property and cut over-height lawn areas.

**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 STUTZMAN 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 CE197161: Remove trash, litter and debris from property, return pool to clean and clear state, repair alley gate, remove trailer from front of property, remove grass/weeds from gravel landscape on property and cut over-height lawn areas.



Property Owner	Kimberly Stutzman
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential
Code Compliance Inspector:	Julie Scofield, 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 Stutzman Property located at 1717 E. Pebble Beach Drive, in the R1-6, Single Family Residential district. This case was initiated 11/08/2019, 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 Submittal Form

Part 1 of 2

City of Tempe  
Community Development Department  
31 East 5<sup>th</sup> 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	Stutzman Property Abatement	EXISTING ZONING SUITE(S)	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1717 E. Pebble Beach Dr. Tempe, AZ 85282	PARCEL No(s)	133-37-408 <input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE197161 Hearing is March 17th 2020		

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)			
BUSINESS NAME	ADDRESS	1717 E. Pebble Beach Dr.	
CONTACT NAME	CITY	STATE	AZ ZIP 85282
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
or attach written statement authorizing the applicant to file the application(s)		

APPLICANT INFORMATION – REQUIRED			
COMPANY / FIRM NAME	ADDRESS	21 E. 6th St.	
CONTACT NAME	CITY	STATE	AZ ZIP 85281
EMAIL	PHONE 1	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	DATE
<i>Julie Scofield</i>		2/12/2020

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

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. SUBDIVISION / CONDOMINIUM PLATS			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
<input type="checkbox"/> M. SIGN TYPE K			GO SE
TOTAL NUMBER OF APPLICATIONS	0		

FOR CITY USE ONLY			
DS TRACKING #	FILE APPLICATION WITH CE / CM / IP TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			TOTAL APPLICATION FEES
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

**DATE:** 02/12/2020  
**TO:** Jeff Tamulevich, Code Administrator  
**FROM:** Julie Scofield  
**SUBJECT:** Stutzman Property Abatement

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**LOCATION:** 1717 E. Pebble Beach Dr. Tempe, AZ 85282

**PARCEL:** 133-37-408

**OWNER:** Kimberly Stutzman  
1717 E. Pebble Beach Dr.  
Tempe, AZ 85282

**FINDINGS:**

11/08/2019 Complaint came into Neighborhood Enhancement (CE197161) for this property regarding junk and debris, deteriorated landscape, and lawn parking. The property was inspected. Grass and weeds are growing in the gravel landscape, miscellaneous items are being stored in the front yard, and a trailer is parked on the west side of the property-where there is vegetation. These are all in violation of Tempe City codes. A notice was mailed to the owner, Kimberly Stutzman.

11/22/2019 Re-inspected the property and all the violations were still visible on the property. A final notice was mailed.

12/11/2019 The property was re-inspected. All violations were still visible, a pink hanger was hung on the door asking for compliance or contact by 12/16/2019 to avoid a citation.

12/19/2019 There has been no change to the property. A citation was issued for the landscape, junk/trash/debris, and lawn parking. Pictures were taken the same day.

01/13/2020 Received an anonymous complaint for the landscape, junk and debris, lawn parking, and deteriorated swimming pool.

01/15/2020 Inspected the pool and it was green. A notice was mailed to the owner.

01/28/2020 Requested a bid for the cleanup of the property. Abatement will include junk, trash, and debris, deteriorated landscape, and a green pool.

01/30/2020 There has been no change to the condition of the property. Mailed another notice to now include the broken gate in the back yard, the flat tire on the trailer, and the over height grass and or weeds in the back yard. The owner has not paid the citation and has yet to bring the property in compliance. Requesting a revised bid to clean up the property. The abatement hearing is set to be March 17th, 2020.

**RECOMMENDATIONS:**

I am recommending the approval for the abatement at 1717 E. Pebble Beach Dr. The property is owned by Kimberly Stutzman. The owner has been given ample time and opportunities to bring this property into compliance and has failed to take any corrective action. Several notices were mailed, and a citation was issued. I am also requesting that an open abatement of 180 days be granted to cover any future violations.

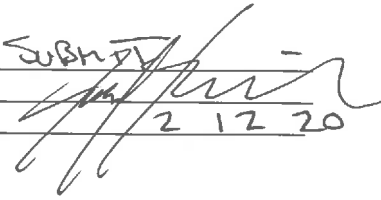
Respectfully submitted,

Julie Scofield

ACTION TAKEN:

NAME

DATE:

SUBMITTED  
  
2 12 20



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 02/12/2020  
Case #: CE197161

**KIMBERLY STUTZMAN  
1717 E PEBBLE BEACH 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: 1717 E PEBBLE BEACH DR TEMPE, AZ 85282  
Parcel: 133-37-408

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of March 17<sup>th</sup>, 2020. 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 Filthy, littered, debris or trash-covered exterior areas
- CC 21-3.b.16 Swimming pool area not properly enclosed and secured
- CC 21-3.b.3 An inoperable vehicle or parts thereof outside of or under a roof area not enclosed
- CC 21-3.b.4 Parking in the front or side yard in an area not improved and designated for parking
- CC 21-3.b.8 Landscaping 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.1 Please remove trash, litter and debris from property-front and back yard.
- CC 21-3.b.16 Please clean pool to a clean and clear state. Fix or replace the gate leading to the alley.
- CC 21-3.b.3 Please remove vehicle (trailer) from the front of the property
- CC 21-3.b.4 Please remove vehicle (trailer) from yard. Additional parking must meet the conditions of 21-3.b.4
- CC 21-3.b.8 Please remove all grass and weeds from gravel landscape. Cut all over height grass and or weeds in the back 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 \$ 1587.00. 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.

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**Code Inspector: Julie Scofield**  
**Phone Number: 480-350-8951**  
**E-mail: [julie\\_scofield@tempe.gov](mailto:julie_scofield@tempe.gov)**

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

THE FOLLOWING DOCUMENT IS FOR:

NAME: JULIE SCOFIELD

FIRM: CITY OF TEMPE

DATE: 1/28/20

### PROPOSAL

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

ADDRESS: 1717 E PEBBLE BEACH

1 REMOVAL OF TALL WEEDS, GRASS AND DEBRIS FRONT YARD DRAIN SWIMMING POOL	\$800.00
2 ESTAMATED DUMP FEES	\$50.00
3 SECURITY BY TEMPE PD	\$552.00
4 REMOVAL OF TRAILER IN FRONT YARD	\$135.00
5 REPAIR BACK GATE	\$50.00
6	\$0.00

TOTAL COST OF JOB \$1,587.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN



# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1701917</b>	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 <b>CE197161</b>		<input type="checkbox"/> 16 Passenger Vehicle
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language							<input type="checkbox"/> Juvenile
Defendant Name (First, Middle, Last) <b>kimberly Stutzman</b>							Telephone: (cell phone) <input type="checkbox"/>
Residence Address, City, State, Zip Code <b>1717 E. Pebble Beach Dr. Tempe, AZ 85282</b>							
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions
Business Address, City, State, Zip Code							Business Phone No.
Vehicle Color					Year	Make	Model
Registered owner & address, City, State, Zip Code					License Plate	State	Expiration Date
					Vehicle Identification Number		

The Undersigned Certifies That:

On	Month <b>12</b>	Day <b>19</b>	Year <b>19</b>	Time <b>09:04</b>	<input checked="" type="checkbox"/> AM <input 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 <b>1717 E. Pebble Beach Dr.</b>								<input checked="" type="checkbox"/> Tempe	<b>85282</b>	Area	Dist.

The Defendant Committed the Following:

<b>A</b>	Section: <b>21-3-B-8</b>	ARS CC	Violation: <b>Deteriorated LANDSCAPE</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>B</b>	Section: <b>21-3-B-1</b>	ARS CC	Violation: <b>Junk / TRASH / Debris</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>C</b>	Section: <b>21-3-B-4</b>	ARS CC	Violation: <b>LAWN PARKING</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>D</b>	Section:	ARS CC	Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>E</b>	Section:	ARS CC	Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code	<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense

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: <b>01/02/20</b>	Time: Between 9AM & 4PM
		<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
	Court: _____		Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
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.	
<b>x Mailed</b>	Complainant <b>Julie Scofield</b>	PSN <b>8022</b>

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 _____	<b>1st citation C = \$200.00</b> <b>A = \$200.00</b> <b>B = \$200.00</b> <b>TOTAL \$600.00</b>
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.



COMPLAINT



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

11/08/19

STUTZMAN KIMBERLY  
1717 E PEBBLE BEACH DR  
TEMPE, AZ 85282

Case#: CE197161

Site Address: 1717 E PEBBLE BEACH DR. TEMPE, AZ 85282

**SITE REINSPECTION ON OR AFTER: 11/22/2019**

This is a notice to inform you that this site was inspected on 11/08/2019 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.

**VIOLATION SECTION:**

**Violation of City of Tempe Code 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.

**Violation of City of Tempe Code 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.

**Violation of City of Tempe Code 21-3-B-4**

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- a. Be contiguous to, parallel with, and share an access point with, the required driveway;
- b. Have a consistent length and width, but not necessarily the same dimensions of the parking area or required driveway;
- c. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and

- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. PLEASE REMOVE ALL GRASS AND OR WEEDS FROM THE FRONT AND OR SIDES OF THE PROPERTY IN THE GRAVEL LANDSCAPED AREAS. ALL GRAVEL LANDSCAPES MUST BE MAINTAINED FREE AND CLEAR OF ANY UNCONTROLLED GROWTH REGARDLESS OF HEIGHT.
2. PLEASE REMOVE THE COUCH, BUCKETS, PALLET, AND ANY OTHER MISCELLANEOUS ITEMS FROM THE FRONT AND OR SIDE OF THE PROPERTY.
3. PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES THE TRAILER PARKED ON THE WEST SIDE OF THE PROPERTY. THE VEGETATION, INCLUDING THE PALM TREES, MUST BE REMOVED TO PARK HERE.

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

Julie Scofield  
Code Inspector II  
E-Mail

Direct: 480-350-8951  
Code Compliance: 480-350-8372  
julie\_scofield@tempe.gov

**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.

**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).**



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

11/22/19

STUTZMAN KIMBERLY  
1717 E PEBBLE BEACH DR  
TEMPE, AZ 85282

Case#: CE197161  
Site Address: 1717 E PEBBLE BEACH DR. TEMPE, AZ 85282

**SITE REINSPECTION ON OR AFTER: 12/06/2019**

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- c. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- d. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and

- e. Be maintained free of all vegetation, including, but not limited to grasses, trees and bushes.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

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Julie Scofield  
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Direct: 480-350-8951  
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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.

**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).**



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

01/15/2020

STUTZMAN KIMBERLY  
1717 E PEBBLE BEACH DR  
TEMPE, AZ 85282

Case#: CE197161  
Site Address: 1717 E PEBBLE BEACH DR. TEMPE, AZ 85282

**SITE REINSPECTION ON OR AFTER: 01/29/2020**

This is a notice to inform you that this site was inspected on 01/15/2020 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.

**VIOLATION SECTION:**

**Violation of City of Tempe Code 21-3-B-16**

Any swimming pool areas that are not enclosed by a fence of at least five (5) feet in height and equipped with self-closing, self-latching gate(s), or padlocked at all times. Any openings in the fencing shall be of a size to prohibit a spherical object four (4) inches in diameter from passing through or under the fence or gate; or any swimming pool, architectural pool or spa that creates a health hazard, harbors insect infestation or presents a deteriorated appearance.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. RESTORE POOL WATER TO A CLEAN AND CLEAR STATE. ALL ALGAE, DIRT, AND DEBRIS MUST BE REMOVED FROM POOL.

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

Julie Scofield  
Code Inspector II  
E-Mail

Direct: 480-350-8951  
Code Compliance: 480-350-8372  
julie\_scofield@tempe.gov

### 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.

**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).**



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

01/30/2020

STUTZMAN KIMBERLY  
1717 E PEBBLE BEACH DR  
TEMPE, AZ 85282

Case#: CE197161  
Site Address: 1717 E PEBBLE BEACH DR. TEMPE, AZ 85282

**SITE REINSPECTION ON OR AFTER: 02/13/2020**

This is a notice to inform you that this site was inspected on 01/30/2020 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.

**VIOLATION SECTION:**

**Violation of City of Tempe Code 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.

**Violation of City of Tempe Code 21-3-B-16**

Any swimming pool areas that are not enclosed by a fence of at least five (5) feet in height and equipped with self-closing, self-latching gate(s), or padlocked at all times. Any openings in the fencing shall be of a size to prohibit a spherical object four (4) inches in diameter from passing through or under the fence or gate; or any swimming pool, architectural pool or spa that creates a health hazard, harbors insect infestation or presents a deteriorated appearance.

**Violation of the Tempe City Code, Chapter 21-3-b-3**

Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; or



- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;

**Violation of the Tempe City Code, Chapter 21-3-b-4**

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- A. Be contiguous to, parallel with, and share an access point with, the required driveway;
- B. Have a consistent length and width, but not necessarily the same dimensions of the parking area or required driveway;
- C. Be no greater than thirty-five percent (35%) of the front and side areas visible from the street;
- D. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing materials such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- E. Be maintained free of all vegetation, including, but not limited to grasses, trees, and bushes.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

- 1. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE BACK YARD OF THE PROPERTY.
- 2. PLEASE REMOVE THE TRAILER FROM THE FRONT YARD OF THE PROPERTY. IS IN A LOCATION THAT IS NOT AN IMPROVED SURFACE FOR PARKING, AND IT HAS A FLAT TIRE.
- 3. PLEASE FIX OR REPLACE THE GATE HARDWARE SO THAT IT CLOSSES AND LATCHES PROPERLY, LEADING TO THE BACK YARD FROM THE ALLEY.

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

Julie Scofield  
Code Inspector II  
E-Mail

Direct: 480-350-8951  
Code Compliance: 480-350-8372  
julie\_scofield@tempe.gov

**Civil and Criminal Penalties**

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