

MINUTES HEARING OFFICER June 2, 2020

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Tempe City Council Chambers located at 31 E 5th Street, Tempe, Arizona 85281 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 citizens present outside of the Council Chambers. There were zero (0) interested citizens online via Webex.

Meeting convened at 5:01 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 June 16, 2020 at 3:00 PM, to the Community Development Department.

1. The following was noted:

• **Agenda Item No. 1**

May 5, 2020 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the May 5, 2020 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the WEISMAN PROPERTY located at 1848 E. Hermosa Drive. The applicant is the City of Tempe (CE196120).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

3. Request abatement of public nuisance items at the BROWN PROPERTY located at 1877 E. Loma Vista Drive. The applicant is the City of Tempe (CE201257).

Michael Glab, Code Inspector, gave the following overview of this case:

- In February 2020, a complaint was received by the Code Compliance office, where Inspector Glab mailed a notice to the property owner.
- In March 2020, there was no change. Inspector Glab posted a notice to the structure regarding grass/weeds in gravel landscape and junk/debris/trash on the property.

- In April 2020, the state of the property remained the same and Inspector Glab sought approval for submission for abatement of the property.
- Inspector Glab noted that there has been a total of eight (8) complaints made via Tempe 311 phone app/website.
- Due to the previous history of abatements on this property, Inspector Glab requests a 180-day open abatement.

Victor Brown, property owner, submitted a comment card to be read into record:

- Mr. Brown wrote: "I have asked for information, processes, assistance from Inspector, City Manager, Care 7, etc., to deal with mental and physical illness, and for copies of recording, stats of complaints, etc. I have received nothing. I have been under to unemployed for over a year. There is a lot more."

Jeff Tamulevich, Code Compliance Administrator, commented:

- Tamulevich indicated that Mr. Brown was notified two weeks ago that he had the ability to be present online via Webex to voice his comments and concerns for the Hearing Officer meeting, but never responded to the request.

Hearing Officer MacDonald approved the 180-day abatement.

4. Request abatement of public nuisance items at the CUMMINGS-PATEL PROPERTY located at 1060 E. Geneva Drive. The applicant is the City of Tempe (CE197844).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

5. Request abatement of public nuisance items at the BRAKEFIELD ANTIL PROPERTY located at 2307 E. Aspen Drive. The applicant is the City of Tempe (CE197408).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

6. Request abatement of public nuisance items at the MOWAHED-ARDBILLIE PROPERTY located at 1015 E. Frost Drive. The applicant is the City of Tempe (CE200324).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

7. Request abatement of public nuisance items at the CARPENTER PROPERTY located at 1646 W. Fairmont Drive. The applicant is the City of Tempe (CE197458).

Ashley Nichols, Code Inspector, gave the following overview of this case:

- Inspector Nichols requested a 180-day abatement for landscaping on this property.
- Inspector Nichols has sent notices, a citation, and never received any type of response.
- Complaints were received from the neighbors.
- Inspector Nichols explained that the front yard landscape has had progress, yet, the dead pine tree needs to be removed, backyard over height weeds removed, and the fallen backyard fence fixed.

Hearing Officer MacDonald approved the 180-day abatement.

8. Request abatement of public nuisance items at the VO PROPERTY located at 910 W. Redfield Drive. The applicant is the City of Tempe (CE201645).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

9. Request abatement of public nuisance items at the ADAMS PROPERTY located at 5934 S. Juniper Street. The applicant is the City of Tempe (CE200927).

Brandy Zedlar, Code Inspector, gave the following overview of this case:

- On February 12, 2020, Inspector Zedlar received a complaint for deteriorated landscaping. She explained that she sent an immediate final notice due to this continuous problem.
- On March 11, 2020, she observed no change to the condition of the property, thus posting a notice to the door indicating that a citation would be issued after March 18th if there is no progress. The citation was failure to appear and no payment has been made.
- On April 13, 2020, no improvement was made and Inspector Zedlar began requesting a bid for cleanup.
- As of June 2, 2020, Inspector Zedlar noticed small improvements in the front yard, but there is still more progress necessary.

Hearing Officer MacDonald approved the 180-day abatement.

10. Request abatement of public nuisance items at the HONSIK PROPERTY located at 847 W. Rice Drive. The applicant is the City of Tempe (CE201550).

Brandy Zedlar, Code Inspector, gave the following overview of this case:

- On March 2, 2020, Code Compliance office received a complaint for the condition of the exterior landscaping and a beehive in the eaves of the front door.
- Inspector Zedlar indicated that this property is vacant and has been abated many times in the past. Notices were mailed and posted to the property.
- On May 7, 2020, no change has been made to the property, and the bees were still active.
- Inspector Zedlar requested a 180-day open abatement due to the previous history, condition of the property, and reoccurring bee colony.

Hearing Officer MacDonald approved the 180-day abatement.

11. Request abatement of public nuisance items at the WEBB PROPERTY located at 8630 S. Hazelton Lane. The applicant is the City of Tempe (CE202012).

Brandy Zedlar, Code Inspector, gave the following overview of this case:

- The Code Compliance office received a complaint on March 23, 2020, regarding landscaping issues.
- This property has a long history of abatements in the past and neighbors explained that owner no longer lives there and is incapable of maintaining landscaping.
- Inspector Zedlar explained that neighbors maintain the front yard landscaping for the property owner, but they are concerned about the bees and over height weeds in the back.
- Since this is a reoccurring issue, Inspector Zedlar is requesting a 180-day open abatement of this property.

Hearing Officer MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Drew Yocom announced that the next meeting will take place on July 7, 2020 at the Council Chambers and via Webex.

With no further business, the public hearing adjourned at 5:27 PM.

Prepared by: Shelbie Meyer
Reviewed by: Drew Yocom

Drew Yocom, Planning and Research Analyst
For Vanessa MacDonald, Hearing Officer

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