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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 10/06/2020  
Agenda Item: 3**

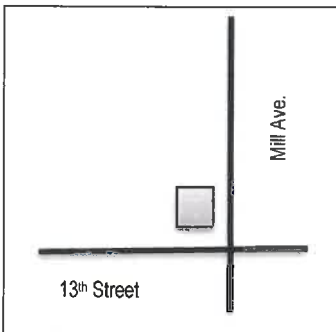
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**ACTION:** Request approval to abate public nuisance items at the Hazelton Property located at 1223 S. Maple Avenue. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$525.00 for abatement request: Landscape cleanup.

**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 HAZELTON 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 CE203958: landscape cleanup.



Property Owner: Patrick Hazelton  
Applicant: City of Tempe – Code Compliance  
Zoning District: R-2 Multi 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 Hazelton Property located at 1223 S. Maple Avenue, in the R-2, Multi Family Residential district. This case was initiated 06/18/20, 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 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	PATRICK HAZELTON	EXISTING ZONING	R-2	<input type="checkbox"/>
PROJECT ADDRESS	1223 S MAPLE AVE TEMPE, AZ 85281	SUITE(S)	CE203958	<input type="checkbox"/>
PROJECT DESCRIPTION	DETERIORATED LANDSCAPE (OVER HEIGHT GRASS & WEEDS) HEARING DATE: OCTOBER 6, 2020	PARCEL No(s)	132-45-118	<input type="checkbox"/>

### PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)

BUSINESS NAME	PATRICK HAZELTON	ADDRESS	23229 DOREMUS ST		
CONTACT NAME		CITY	SAINT CLAIR SHORE 48080	STATE	MI ZIP
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	CITY OF TEMPE	ADDRESS			
CONTACT NAME	ANDRES LARA-REYES	CITY		STATE	ZIP
EMAIL		PHONE 1	(480) 350-8963	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	8/24/2020
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### BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs

BUSINESS NAME		ADDRESS			
CONTACT NAME		CITY		STATE	ZIP
TYPE OF BUSINESS		PHONE		EMAIL	

<input checked="" type="checkbox"/>	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. 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 <sup>nd</sup> or 3 <sup>rd</sup> submittal, use planning resubmittal form)				TOTAL APPLICATION FEES
				RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

**DATE:** 08/24/2020  
**TO:** Jeffrey Tamulevich, Code Compliance Administrator  
**FROM:** Andres Lara-Reyes  
**SUBJECT:** Request to Authorize for Abatement– Reference Complaint # CE203958

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**LOCATION:** 1223 S MAPLE AVE, TEMPE, AZ 85281  
**LEGAL:** Parcel #132-45-118, as recorded with the Maricopa County Assessor  
**OWNER:** PATRICK HAZELTON  
23229 DOREMUS ST  
SAINT CLAIR SHORES, MI 48080

**FINDINGS:**

1223 S MAPLE AVE is currently in violation of City of Tempe's Nuisance Code in regards deteriorated landscape over height grass and weeds.

The vacant lot has been in violation since 06/15/2020 with the initial violation being deteriorated landscape over height grass and weeds. There has been no response from the owner of the property and no mail has been returned.

The owner PATRICK HAZELTON was issued correction notices to correct the violation by mail. As stated above, no mail has been returned which means the property remains unresolved as of this date. Notice of intent to abate was mailed to the owner.

**RECOMMENDATIONS:**

PATRICK HAZELTON has not responded or attempted to remedy the violations upon the property at 1223 S MAPLE AVE. Since this property is a vacant lot, 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. Mr. HAZELTON has not given any indication that he plans on correcting the violations and maintaining the property.

Respectfully submitted,  
Andres Lara-Reyes

ACTION TAKEN: Submitt  
NAME: Andres Lara-Reyes  
DATE: 8/24/20



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 08/24/2020  
Case #: CE203958

**HAZELTON PATRICK  
23229 DOREMUS ST  
ST CLAIR SHORES, MI 48080**

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

Location: 1223 S MAPLE AVE TEMPE, AZ 85281  
Parcel: 132-45-118

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of October 6, 2020 located at the Tempe Council Chambers, 31 E 5th Street, at 5pm. 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                      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.8                      Please cut all over height grass and weeds.

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 \$525.00. 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: 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](mailto:hamannenterprises@yahoo.com)

THE FOLLOWING DOCUMENT IS FOR:

NAME: ANDRES LARA-REYES

FIRM: CITY OF TEMPE

DATE: 8/10/20

### PROPOSAL

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

ADDRESS: 1223 S MAPLE AVE

1	REMOVAL OF TALL WEEDS, GRASS AND DEBRIS ALOMG CURB INCLUDING HOMELESS TRASH ON LOT	\$500.00
2	ESTAMATED DUMP FEES	\$25.00
3		\$0.00
4		\$0.00
5		\$0.00
6		\$0.00
TOTAL COST OF JOB		<hr/> \$525.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

06/18/2020

PATRICK HAZELTON  
23229 DOREMUS ST  
SAINT CLAIR SHORES, MI 48080

Case #: CE203958  
Site Address: 1223 S MAPLE AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 06/17/2020 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.

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, dead bushes, dead plants & dead shrubs in the vacant lot landscape areas.	07/17/2020

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  
FINAL CORRECTION NOTICE

07/23/2020

PATRICK HAZELTON  
23229 DOREMUS ST  
SAINT CLAIR SHORES, MI 48080

Case #: CE203958  
Site Address: 1223 S MAPLE AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 07/21/2020 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.

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, dead bushes, dead plants & dead shrubs in the vacant lot landscape areas.	08/06/2020

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**

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## 132-45-118 Land Parcel

This is a land parcel located at 1223 S MAPLE AVE TEMPE 85281, and the current owner is HAZELTON PATRICK W. It is located in the Hazelton Property subdivision and MCR 66405. Its current year full cash value is \$549,900.

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### Property Information

#### 1223 S MAPLE AVE TEMPE 85281

MCR #	<u>66405</u>
Description:	HAZELTON PROPERTY MCR 664-05
Lat/Long	<u>33.41581522   -111.94113259</u>
Lot Size	16,756 sq ft.
Zoning	R-2
Lot #	1
High School District	TEMPE UNION #213
Elementary School District	TEMPE ELEMENTARY SCHOOL DISTRICT
Local Jurisdiction	TEMPE
S/T/R	22 1N 4E
Market Area/Neighborhood	02/005
Subdivision (1 Parcel)	<u>HAZELTON PROPERTY</u>

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### Owner Information

#### HAZELTON PATRICK W

Mailing Address	23229 DOREMUS ST, ST CLAIR SHORES, MI 48080-2782
Deed Number	<u>031715757</u>
Last Deed Date	12/22/2003
Sale Date	n/a
Sale Price	n/a

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# Maricopa County Treasurer's Office

Royce T. Flora, Treasurer

## Tax Summary 132-45-118 0

**Current Mailing Name & Address**

HAZELTON PATRICK W  
23003 COLONY ST  
SAINT CLAIR SHORES, MI 48080

**Property (Situs) Address**

1223 S MAPLE AVE  
TEMPE, AZ 85281

### 2020 Tax Due

**Assessed Tax:** \$4,946.98      **Tax Paid:** \$0.00      **Total Due:** \$4,946.98

[View 2020 Tax Details](#)

[Create a payment coupon](#)

[View Additional Tax Years](#)

### Back Taxes

Tax Year	Status	Assessed Tax	Amount Due
<a href="#">2019</a>	Tax Lien	\$2,335.48	See Redemption Statement
<a href="#">2018</a>	Tax Lien	\$2,277.50	See Redemption Statement
<a href="#">2017</a>	Tax Lien	\$2,209.76	See Redemption Statement

For convenient and secure online payments



To pay in person at the Treasurer's Office, please select a payment date for interest calculations.  
Payment dates are good through the last day of the month.

**Current Context**

Person	
Account ID	
Premise	1223 S MAPLE AVE, TEMPE, AZ, 85281

**SA Premise List**

**Premise Information**

Premise Information	1223 S MAPLE AVE, TEMPE, AZ, 85281
CIS Division	City of Tempe
SRP Code	Member
Taxing City	City of Tempe
Service Point Information	Water Single-family Residential/Water - Block 1 Fixed Network/W
Meter Configuration	Water 1.5" Meter, 16540935, Eff 12-07-2016 06:10PM , Single D
Last Meter Read	08-17-2020 02:00AM
Next Meter Read	09-14-2020 ( Water - Block 1 Fixed Network )

**Field Activity Information**

Schedule Date/Time Start	Field Activity Information
04-14-2017 12:00AM	1223 S MAPLE AVE, TEMPE, AZ, 85281,Water Single-family Residential, On-li
04-07-2017 04:01PM	1223 S MAPLE AVE, TEMPE, AZ, 85281,Water Single-family Residential, Mete
11-01-2013 03:34PM	1223 S MAPLE AVE, TEMPE, AZ, 85281,Water Single-family Residential, Mete
06-05-2013 03:35PM	1223 S MAPLE AVE, TEMPE, AZ, 85281,Water Single-family Residential, Mete

**Account Financial History**

**Billed Consumption**

