

MINUTES HEARING OFFICER February 16, 2021

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was streamed online on WebEx and broadcasted live on Tempe 11 at 5:00pm.

REGULAR SESSION 5:00 PM

Present:

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

There were zero (0) interested citizens present.

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 March 2, 2021 at 3:00 PM, to the Community Development Department.

1. The following was noted: -----

- **Agenda Item No. 1**

January 19, 2021 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the January 19, 2021 Hearing Officer Minutes had been reviewed and were approved. -----

2. Request abatement of public nuisance items at the WEARY PROPERTY located at 1939 E. Apollo Avenue. The applicant is the City of Tempe (CE205131).

Julie Scofield, Code Inspector, gave the following overview of this case:

- Inspector Scofield requested a 180-day open abatement to address deteriorated landscaping, unregistered vehicles, and lawn parking in the front and back yards.
- This case initiated by a complaint made by a neighbor.
- In early August of 2020, Inspector Scofield assessed the property and noticed dead trees, over height grass and weeds, unregistered vehicles which were also lawn parking. The first notice was mailed to the property owner for a reinspection date of August 21, 2020.
- On August 21, 2020, no progress was made.
- On September 11, 2020, no progress was made, and a final notice was sent to the property owner.
- Inspector Scofield indicated there was contact made by the property owner, which Inspector Scofield gave an extension allowing them more time to comply.

- On October 14, 2020, the property was still in violation and a pink door hanger with plea to contact the inspector to avoid citation was hung onto the property.
- On October 22, 2020, a citation was issued to the property owner. The property owner requested a court hearing date set for December 17, 2020.
- In court, the property owner was found responsible for the deteriorated landscaping.
- On January 6, 2021, Inspector Scofield filed for abatement.
- Inspector Scofield, while presenting photo evidence, noted that the dead trees have been removed, but there the over height grass/weeds and tree debris located in the back of the property remains.
- Inspector Scofield requested a 180-day open abatement for the front and back yards and noted that the Code Compliance Division has been out to this specific property eight (8) separate times since 2018.
- Hearing Officer MacDonald questioned why there were two (2) separate abatement bids, one being low, the other being exponentially high. Inspector Scofield noted that the lowest bid would be used, and since the dead trees were removed, one could expect the bids to be even lower than expected.

Drew Yocom stated no contact was made by the property owner to speak on this case.

Hearing Officer MacDonald approved the 180-day abatement.

3. Request abatement of public nuisance items at the WHITE PROPERTY located at 314 E. Loma Vista Drive. The applicant is the City of Tempe (CE205075).

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

- Inspector Nichols requested a 180-day open abatement for junk/trash/debris items.
- The case was initiated after receiving an anonymous complaint. Inspector Nichols validated the property was in violation and sent the first notice to the property owner.
- Inspector Nichols indicated that the property was subject to a house fire, so additional time was given for compliance. The reinspection date was set for October 2020.
- On October 2020, there were new violations such as over height grass/weeds throughout the property, so an additional, updated first notice was sent to property owner again.
- On November 6, 2020, Inspector Nichols was contacted by an individual associated with the property who was listed on the water bill. Mr. Randy Brown indicated that he was in the process of clearing the junk/debris/trash and asked for additional time for compliance.
- On January 8, 2021, the property was still in violation and not progress was made. Inspector Nichols posted a final notice to the property.
- On January 15, 2021, a notice of intent to abate was posted to the structure.
- Inspector Nichols, while presenting photo evidence, noted the over height grass/weeds and junk/debris/trash located throughout the property.
- Hearing Officer MacDonald had a question on how the City would get around the secure fencing. Inspector Nichols noted that the abatement contractors are equipped to handle the fencing. Also, the fencing was surrounding the property due to the fire.

Drew Yocom stated no contact was made by the property owner to speak on this case.

Hearing Officer MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Drew Yocom announced that the next meeting will take place on March 2, 2021 online through WebEx and live on Tempe 11.

With no further business, the public hearing adjourned at 5:18 PM.

Prepared by: Shelbie Meyer
Reviewed by: Drew Yocom

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

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