

## DRAFT MINUTES HEARING OFFICER March 2, 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 16, 2021 at 3:00 PM, to the Community Development Department.

1. The following was noted:

• **Agenda Item No. 1**

**February 16, 2021 Hearing Officer Minutes**

**Vanessa MacDonald**, Hearing Officer, stated the February 16, 2021 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the QUIJADA PROPERTY located at 807 E. Drake Drive. The applicant is the City of Tempe (CE205216).

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

- Inspector Zedlar requested an abatement to address the excessive palm fronds.
- The case was initiated on August 12, 2020 for excessive palm fronds located on the palm trees in the front and back yard of the property.
- Inspector Zedlar indicated that after the initiation of the case, the Code Compliance Division did not receive another complaint.
- Inspector Zedlar mentioned she spoke to the property owner on site, the day before the Hearing Officer (March 1, 2021) and the property owner asked for additional time. Inspector Zedlar explained to the property owner, should the case be approved by the Hearing Officer (on March 2, 2021), he would have an additional two (2) weeks to bring the property into compliance and trim the palm trees.
- Hearing Officer MacDonald asked if the property owner found comfort in knowing there would still be two weeks after the pending approval of the Hearing Officer meeting. Inspector Zedlar stated he only indicated he needed more time, nothing else.

- Inspector Zedlar indicated there has been no change with the palm trees since August 2020.
- Inspector Zedlar also indicated that she sent the property owner a first notice, a final notice, and hung a notice to the front door asking for contact prior to abatement. The only time the property owner made contact was the day prior to the Hearing Officer (March 1, 2021).

Jesus Quijada, property owner, provided a [public comment](#) to be read into the record.

Hearing Officer MacDonald read [the statement](#) and had a few additional remarks prior to rendering a decision:

- Madam Hearing Officer indicated that this property has been open case for seven (7) months, which no contact was ever made prior to March 1, 2021.
- She noted that the unique objective of the Hearing Officer is that the property owner still has two (2) additional weeks prior to the abatement to get the property into compliance. Madam Hearing Officer encouraged Inspector Zedlar to work with the property owner and show him leniency if there is progress.
- Madam Hearing Officer also noted that if the City of Tempe does the abatement, the payment is deferred as a lien against the property. She stated this could be an option for the property owner as well.

Hearing Officer MacDonald approved the abatement.

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**ANNOUNCEMENTS**

- Drew Yocom announced that the next meeting will take place on March 16, 2021 online through WebEx and live on Tempe 11.

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With no further business, the public hearing adjourned at 5:14 PM.  
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Prepared by: Shelbie Meyer

Reviewed by: Drew Yocom

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

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