

MINUTES HEARING OFFICER July 6, 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, Community Development Planning and Research Analyst
Shelbie Meyer, Administrative Assistant

There were two (2) 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 July 20, 2021 at 3:00 PM, to the Community Development Department.

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

- Agenda Item No. 1

June 15, 2021 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the June 15, 2021 Hearing Officer Minutes had been reviewed and were approved. -----

2. Request abatement of public nuisance items at the **HALE PROPERTY** located at 2108 E. Yale Drive. The applicant is the City of Tempe (**CE210006**).

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

- Inspector Scofield requested a 180-day open abatement for lawn parking, unregistered vehicles, junk/debris/trash, and deteriorated landscaping in the front and back yards.
- The case has been open since January 2021 and has continuously had four (4) unregistered vehicles in the driveway.
- Several notices were mailed to the property owner and a citation was issued in February 2021.
- The abatement hearing was set for May 18, 2021 but was continued to the July 6, 2021 meeting due to an additional complaint regarding junk/debris/trash, over height grass/weeds, and three (3) unregistered vehicles in the backyard.
- Notices were re-sent to include the backyard violations, as well as, re-iterated the front yard violations.
- Inspector Scofield noted that property owners are allowed two (2) unregistered vehicles in the backyard, but there are three (3) located in the backyard.
- Three (3) complaints were submitted to the Code Compliance office regarding the state of the property. The last complaint was submitted on June 10, 2021.

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

Hearing Officer MacDonald approved the 180-day open abatement.

3. Request abatement of public nuisance items at the **OCONNOR PROPERTY** located at 6818 S. Terrace Road. The applicant is the City of Tempe (**CE211136**).

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

- Inspector Scofield requested a 180-day open abatement to address an unregistered vehicle in the driveway.
- Inspector Scofield noted this case was originally initiated to address junk/debris/trash, lawn parking, and a broken garage door, but the owner has become in compliance with everything except the unregistered vehicle.
- Several notices were mailed, and a citation was issued in April of 2021.

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

Hearing Officer MacDonald approved the 180-day open abatement.

4. Request abatement of public nuisance items at the **SALAZAR PROPERTY** located at 1521 E. Bell De Mar Drive. The applicant is the City of Tempe (**CE211348**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

5. Request abatement of public nuisance items at the **DONNELL PROPERTY** located at 6218 S. Taylor Drive. The applicant is the City of Tempe (**CE211360**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

6. Request abatement of public nuisance items at the **NELSON PROPERTY** located at 6736 S. Kenneth Place. The applicant is the City of Tempe (**CE210408**).

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

- Inspector Scofield requested a 180-day open abatement for unregistered vehicle in the driveway and over height grass/weeds and junk/debris/trash in the front yard.
- The case has been open since January 2021.
- Several notices were mailed, and a citation was issued in April of 2021.
- The inspector has had contact with the property owner, but property remains in violation.
- Additional complaints were submitted to the Code Compliance division to address the over height grass/weeds and junk/debris/trash in the front yard.

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

Hearing Officer MacDonald approved the 180-day open abatement.

7. Request abatement of public nuisance items at the **CHUNXIANG XU PROPERTY** located at 2244 E. Apache Blvd. The applicant is the City of Tempe (**CM210513**).

Marvin White, Code Inspector, gave the following overview of this case:

- Inspector White requested a 180-day open abatement to address graffiti, unsecured/burnt building, overgrown grass/weeds, junk/debris/trash throughout the property.
- The case was initiated on April 9, 2021 to address the deteriorated state of the property.
- Inspector White noted that there is an extensive history of this property being out-of-compliance and abatement multiple times.
- There has been no response from the property owner after notices were sent.
- In May of 2021, no changes were made, so a final notice was sent nor contact from the property owner.
- A notice of intent to abate was sent to property owner and posted on site.
- On June 29, 2021, no change was made to the state of the property.
- On July 2, 2021, Inspector White received contact from the friend of the property owner and Inspector White advised them on how to move forward into compliance.
- Inspector White received an email from property owner informing the inspector that they never received any notices and were unaware of the condition of the property. The property owner lives out-of-state.

Ben Wan, interpreter of property owner, Chunxiang Xu, gave the following statements:

- Mr. Wan stated they were just made aware of the property's condition.
- Mr. Wan stated they left messages to their property management team, with no response.
- Mr. Wan stated they have posted jobs to try and clean up the property and comply.
- Mr. Wan stated that he and the property owner live in Minnesota.
- Hearing Officer MacDonald made both Mr. Wan and Chunxiang Xu aware of the abatement process and that there are two (2) weeks to comply after the approval of July 6th abatement request.
- Both Mr. Wan and Chunxiang Xu agree that this property needs help in complying.

Hearing Officer MacDonald approved the 180-day open abatement.

8. Request abatement of public nuisance items at the **CUPP PROPERTY** located at 226 E. Pebble Beach Drive. The applicant is the City of Tempe (**CE206855**).

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

- Inspector Nichols requested a 180-day open abatement
- In November of 2020, the case was initiated for inoperable/unlicensed vehicles and junk/debris/trash in the front yard.
- Inspector Nichols determined there were vehicles with flat tires and junk/debris/trash items.
- Notices were sent and multiple extensions were provided to the property owner to comply.
- Two (2) citations were issued to the property owner. The property owner defaulted and failed to appear to both hearings.
- Inspector Nichols noted that there was a brief conversation with the property owner on June 4, 2021 while posting the notice of intent to abate. Inspector Nichols advised the property owner on what steps needed to be made for compliance, the property owner agreed.
- The vehicles with flat tires and junk/debris/trash remain on the property.

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

Hearing Officer MacDonald approved the 180-day open abatement.

ANNOUNCEMENTS

- Drew Yocom announced that the next meeting will take place on Wednesday, July 21, 2021 online through WebEx and live on Tempe 11.

With no further business, the public hearing adjourned at 5:32 PM.

Prepared by: Shelbie Meyer
Reviewed by: Drew Yocom

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

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