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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 09/01/2021**

**Agenda Item: 4**

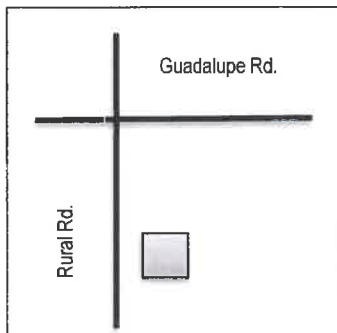
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**ACTION:** Request approval to abate public nuisance items at the Cornish Property located at 950 E. Redfield Road. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$480 for abatement request: landscape cleanup including weeds, trash and debris.

**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 CORNISH 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 CE214089: landscape cleanup including weeds, trash and debris.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

Shannon L. Cornish  
City of Tempe – Code Compliance  
R-2, Multi Family Residential  
Julie Scofield

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Jeff Tamulevich, Code Compliance Administrator

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 Cornish Property located at 950 E. Redfield Road, R-2, Multi Family Residential district. This case was initiated 02/03/21, 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 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 Submittal Form

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	CORNISH PROPERTY ABATEMENT	EXISTING ZONING	R-2 <input type="checkbox"/>
PROJECT ADDRESS	950 E. REDFIELD RD. TEMPE, AZ 85283	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CE214089 HEARING IS SCHEDULED FOR SEPTEMBER 1ST, 2021	PARCEL No(s)	301-48-625A <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)					
BUSINESS NAME		ADDRESS	950 E. REDFIELD RD.		
CONTACT NAME	SHANNON CORNISH	CITY	TEMPE	STATE	AZ ZIP 85283
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	COMMUNITY DEVELOPMENT	ADDRESS	21 E 6TH ST.		
CONTACT NAME	JULIE SCOFIELD	CITY	TEMPE	STATE	AZ ZIP 85281
EMAIL	JULIE_SCOFIELD@TEMPE.GOV	PHONE 1	480-350-8951	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	7/22/21
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BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs					
BUSINESS NAME		ADDRESS		STATE	ZIP
CONTACT NAME		CITY			
TYPE OF BUSINESS		PHONE		EMAIL	

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. SUBDIVISION / CONDOMINIUM PLATS			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
<input type="checkbox"/> M. SIGN TYPE K			GO	SE
TOTAL NUMBER OF APPLICATIONS	0			

FOR CITY USE ONLY			
DS TRACKING #		FILE APPLICATION WITH CE / CM / IP TRACKING #	DATE RECEIVED (STAMP)
PL TRACKING #			VALIDATION OF PAYMENT (STAMP)
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

**DATE:** 07/22/2021  
**TO:** Michael Spencer, Sr. Code Inspector  
**FROM:** Julie Scofield, Code Inspector  
**SUBJECT:** CE214089, Cornish Property Abatement

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**LOCATION:** 950 E. REDFIELD RD. TEMPE, AZ 85283

**LEGAL:** VILLAS TEMPE

**PARCEL:** 301-48-625A

**OWNER:** SHANNON L CORNISH  
950 E REDFIELD RD  
TEMPE, AZ 85283-4045

**FINDINGS:**

02/03/2021 The Code Compliance Division received a complaint for this property for severe plumbing leaks and mold, for the outside of the property in the porch area. (CE210701). Inspected the property, and there was evidence that water had been running, but not on at this time. There were small puddles but would soon be dried up. No action was taken, as no violation was found. The owner, Shannon Cornish, was apparently taken to a mental facility to be evaluated since the water was coming from a running faucet inside the house for several days, per P.D.

07/02/2021 The Code Compliance Division received a complaint for this property for an odor coming from the property. (CE214089). Inspected the property, and no odor was present. However, there was tall weeds growing in the porch area. A notice was mailed to the property owner Shannon Cornish.

07/13/2021 Received the notice back in the mail, it had no forwarding address on it and the tag said "vacant". Was not able to locate another address for the property owner.

07/22/2021 There has been no change to the property. Still do not smell an odor. Believe the owner is still away and the violation will continue to exist. Requested a bid to cover the landscape issues in the porch area. Turning in the paperwork for an abatement to be held September 1<sup>st</sup>, 2021.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violation at the property located at 950 E. Redfield Rd. due to property owner's failure to bring property into compliance with Tempe City Code 21-3. B.8. Ms. Cornish is still away and there is no one to care for the property properly. There has been no indication that the property owner (or family) will

bring the property into compliance. The property represents an eyesore to the community.

Without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development 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.  
Respectfully submitted,

Julie Scofield  
Code Inspector II

ACTION TAKEN: Submitted  
NAME: Julie Scofield  
DATE: 7-22-21



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 07/22/2021  
Case #: CE214089

**CORNISH SHANNON L**  
**950 E REDFIELD RD**  
**TEMPE, AZ 85283**

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

Location: 950 E REDFIELD RD TEMPE, AZ 85283  
Parcel: 301-48-625A

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of 9/01/2021 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; or any dead trees, bushes, shrubs or portions thereof, including stumps

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:

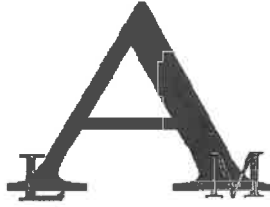
CC 21-3.b.8            Cut down all over height grass and or weeds.

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 \$480.00. 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: Julie Scofield**  
**Phone Number: 480-350-8951**  
**E-mail: julie\_scofield@tempe.gov**



**Artistic Land Management, Inc.**

July 19, 2021

City of Tempe  
Attn: Julie Scofield  
Code Inspector

RE: Clean-Up at 950 E. Redfield Rd.

Thank you for giving Artistic Land Management, Inc the opportunity to serve your landscaping needs. Below is our price to provide all labor, equipment, landfill fees, and supervision to perform the work listed below at 950 E. Redfield Rd, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

- Remove weeds, trash, and debris from the courtyard area

Total = \$480.00

Respectfully,

Jose Hernandez



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

07/06/2021

SHANNON CORNISH  
950 E. REDFIELD RD  
TEMPE, AZ 85283

Case#: CE214089  
Site Address: 950 E. REDFIELD RD. TEMPE, AZ 85283

**SITE REINSPECTION ON OR AFTER: 07/20/2021**

This is a notice to inform you that this site was inspected on 07/06/2021 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.

VIOLATION SECTION:

**Violation of City of Tempe Code 21-3-B-8**

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

**Violation of City of Tempe Code 21-3-B-1**

Filthy, littered, debris or trash-covered exterior areas, including exterior areas under any roof not enclosed by the walls, doors or windows of any building; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE FRONT OF THE PROPERTY.
2. PLEASE REMOVE ANY TRASH OR DEBRIS FROM THE PORCH AREA OF THE PROPERTY, ON THE NORTH SIDE.

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Julie Scofield  
Code Inspector II  
E-Mail

Direct: 480-350-8951  
Code Compliance: 480-350-8372  
julie\_scofield@tempe.gov



**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.

**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).**



07/20/2021 09:11



07/20/2021 09:12



07/20/2021 09:12