

## MINUTES HEARING OFFICER September 1, 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

Jeff Tamulevich, Code Compliance Administrator

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 September 15, 2021 at 3:00 PM, to the Community Development Department.

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

- **Agenda Item No. 1**

**August 17, 2021 Hearing Officer Minutes**

**Vanessa MacDonald**, Hearing Officer, stated the August 17, 2021 Hearing Officer Minutes had been reviewed and were approved. -----

2. Request abatement of public nuisance items at the **HILL PROPERTY** located at 1919 E. Citation Lane. The applicant is the City of Tempe (**CE211831**).

**ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE**

3. Request abatement of public nuisance items at the **BURSH PROPERTY** located at 700 E. Loyola Drive. The applicant is the City of Tempe (**CE211833**).

**ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE**

4. Request abatement of public nuisance items at the **CORNISH PROPERTY** located at 950 E. Redfield Road. The applicant is the City of Tempe (**CE214089**).

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

- Inspector Scofield request a 180-day open abatement for over height grass/weeds in the front, back, and side yards.
- The case was initiated in February of 2021 by the Tempe Police Department and Care 7 organization due to the owner being treated for mental issues at a facility and was unable to tend to the violations on site.
- When Tempe PD received the call, there was apparently water leaks that flooded the area coming from the property. By the next morning when the Code inspector went by to validate, the water was already dried up.
- On July 2, 2021, another anonymous complaint was submitted for odor and over height grass/weeds.
- Notices were mailed and posted to the property owner, with no response. She is still being treated in a care facility.
- Inspector Scofield was unable to find any additional address or next-of-kin, therefore, Inspector Scofield sought the abatement process.

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.

5. Request abatement of public nuisance items at the **THIRKHILL PROPERTY** located at 2519 E. Huntington Drive. The applicant is the City of Tempe (**CE206879**).

Michael Glab, Code Inspector, gave the following overview of this case:

- Inspector Glab request a 180-day open abatement for junk/debris/trash throughout property.
- The case was initiated on October 30, 2020 for junk/debris/trash, the inspector confirmed the violations on November 3, 2020. A violation notice was sent to the property owner.
- On November 10, 2020, the property owner left a voicemail for the inspector that the junk/debris/trash items were outside due to there being interior home damage repairs. The property owner asked for a 30-day extension for compliance.
- On December 28, 2020, the violations remained. A second violation notice was mailed to the property owner.
- On January 28, 2021, the violations remained. A notice was posted to the structure for compliance.
- On February 2, 2021, the property owner left a voicemail requesting an additional extension.
- On March 4, 2021, progress was made but the work remained incomplete. An additional extension for compliance was made until April 5, 2021.
- Two (2) complaints were received by the Code Compliance division.
- On April 23, 2021, no changes were made to the state of property.
- On May 10, 2021, a citation was issued to the property owner. Mr. Thirkhill requested a court hearing.
- On June 14, 2021, the inspector appeared to the court hearing online. Mr. Thirkhill failed to appear. The judge found the property owner at fault and sent the citation to collections.
- On June 16, 2021, the junk/debris/trash remained. The inspector sought bids for abatement.
- On July 23, 2021, the abatement packed was submitted and notices were sent.

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.

6. Request abatement of public nuisance items at the **CHUNG PROPERTY** located at 709 E. Fordham Drive. The applicant is the City of Tempe (**CE212613**).

Michael Glab, Code Inspector, gave the following overview of this case:

- Inspector Glab request a 180-day open abatement for junk/debris/trash and lawn parking.
- The case was initiated on April 22, 2021, for junk/debris/trash and lawn parking. A violation notice was sent.
- At least four (4) complaints have been received by the Code Compliance division.
- The inspector met with the property owner on site, but there was a severe language barrier which made it difficult to voice what was in violation.
- On May 7, 2021, violations remained. A second violation notice was sent.
- On May 14, 2021, the Code Compliance division received an additional complaint.
- On May 25, 2021, violations remained. The inspector attempted to speak to the property owner again, in person, but due to language barrier it was difficult to voice the violations.
- On May 27, 2021, a violation notice was posted to the structure.
- On June 4, 2021, the violations remained. A citation was issued to the property owner on June 9, 2021.
- On June 29, 2021 and July 7, 2021, a voicemail from a complainant requesting compliance.
- On July 14, 2021, the violations remained. The inspector sought bids for abatement.
- On July 23, 2021, additional complaints were received by the Code Compliance office. The inspector submitted the packet for the abatement property.
- The inspector stated that there is a possible home occupation related to the property address.
- The property agent representative spoke to the inspector on August 31, 2021, stating that the property was now in compliance. The inspector drove by the property on September 1, 2021, and the violations remained. Pictures were taken and shown during Hearing Officer presentation.

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.

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**ANNOUNCEMENTS**

- Drew Yocom announced that the next meeting will take place on October 5, 2021 online through WebEx and live on Tempe 11.

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With no further business, the public hearing adjourned at 5:26 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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