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**CITY OF TEMPE  
HEARING OFFICER**

Meeting Date: 10/19/2021  
Agenda Item: 2

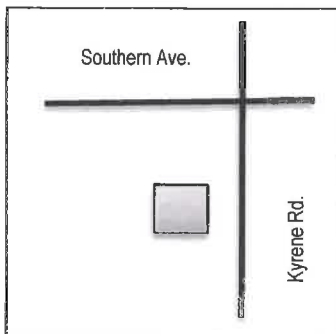
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**ACTION:** Request approval to abate public nuisance items at the Moore Property located at 438 W. Hermosa Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$1592 for abatement request: front yard and right-of-way landscape cleanup to include trimming tree obstructing sidewalk.

**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 MOORE 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 CE211993: front yard and right-of-way landscape cleanup to include trimming tree obstructing sidewalk.



Property Owner  
Applicant  
Zoning District:  
Code Compliance  
Inspector:

Marilyn C. Moore Trust  
City of Tempe – Code Compliance  
R1-6, Single Family Residential  
Hector Heredia

**ATTACHMENTS:** Supporting Attachment

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

Department Director: Shelly Seyler, Interim Department Director  
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 Moore Property located at 438 W. Hermosa Drive, in the R1-6, Single Family Residential district. This case was initiated 3/26/2021, 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 a 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

# Project Submittal Application

**City of Tempe**  
**Community Development Department**  
 31 E. 5th Street, Garden Level, Tempe, AZ 85281  
 (480) 350-4311 Fax: (480) 350-8677  
 Planning Fax: (480) 350-8872  
[www.tempe.gov](http://www.tempe.gov)



**Project Information - Required**

Project Name: Marilyn Moore Property Abatement : CE211993

Project Address: 438 W Hermosa Dr Suite No.:

Proposed Use of Building/Suite: Existing Zoning: R1-6

Legal Description:  Attached Knobell Tempe 3 Parcel No.: 123.46.093

Description of Work/Request: Hearing Officer Date: 10/19/21

Valuation (for building plan review only):

**Applicant Information - Required**

Company or Firm Name: City of Tempe : Code Compliance Telephone 1: ( ) 480350 Ext: 5462

Applicant's Name: Hector Heredia : Inspector Telephone 2: ( ) Ext: \_\_\_\_\_

Applicant's Street Address: 21 E 6th St Ste: 208 Fax: ( )

City: Tempe State: AZ Zip: 85281 Email Address(es): \_\_\_\_\_

Applicant Signature: Hector Heredia Date: \_\_\_\_\_

**For City Use Only**

<b>Planning</b> <input type="checkbox"/> Recordation <input type="checkbox"/> SPR <input type="checkbox"/> PL Dev Plan Review <input type="checkbox"/> Sign Permit <input type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> General Plan Amend <input type="checkbox"/> Zoning Amend <input type="checkbox"/> Zoning Verification Letter <input type="checkbox"/> Subdivision/Condo <input type="checkbox"/> PAD Overlay <input type="checkbox"/> Legal Posting Signs <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Abatement <input type="checkbox"/> Shared Parking <input type="checkbox"/> CCR Review <input type="checkbox"/> Continuance <input type="checkbox"/> Appeal <input type="checkbox"/> Other _____  <b>Fire</b> <input type="checkbox"/> Tanks <input type="checkbox"/> AFES (O/H) <input type="checkbox"/> Spray Paint Booth <input type="checkbox"/> Special Extinguishing <input type="checkbox"/> Fire Alarm <input type="checkbox"/> Kitchen Hood System <input type="checkbox"/> Rack Storage <input type="checkbox"/> Hazmat <input type="checkbox"/> Other _____	<b>Fees</b>                            	<b>Building</b> <input type="checkbox"/> New Building <input type="checkbox"/> Com Add/Alt <input type="checkbox"/> TI <input type="checkbox"/> MF <input type="checkbox"/> NRes <input type="checkbox"/> Res Remodel/Add <input type="checkbox"/> Pool <input type="checkbox"/> Demo <input type="checkbox"/> Grading Only <input type="checkbox"/> Phased Constr <input type="checkbox"/> Phased Constr w/UG MEP <input type="checkbox"/> Structural Frame <input type="checkbox"/> MEP Only <input type="checkbox"/> Mobile Home <input type="checkbox"/> Factory Built Bldg <input type="checkbox"/> Deferred submittal <input type="checkbox"/> Revision <input type="checkbox"/> New Standard <input type="checkbox"/> Permits based on Standard #  <input type="checkbox"/> Suiting <input type="checkbox"/> Other _____	<b>Engineering</b> <input type="checkbox"/> Engineering  <input type="checkbox"/> Revision <b>Tracking Nos.:</b> DS _____ BP _____ RA _____ FR _____ RAF _____ EN _____ RAE _____ PL _____ SPR _____ SGN _____ GO _____ GOB _____ SE _____ ZP _____  <b>MCA Code:</b> _____  <b>File With:</b> _____  <b>Received By:</b> _____	<b>Submitted Materials:</b> _____ Building _____ Fire _____ Planning _____ Signs _____ Engineering  <input type="checkbox"/> Spec Book(s) <input type="checkbox"/> Soils Report <input type="checkbox"/> Structural Calcs <input type="checkbox"/> Report <input type="checkbox"/> Truss Calcs <input type="checkbox"/> Materials <input type="checkbox"/> Hydraulic Calcs <input type="checkbox"/> Color Board <input type="checkbox"/> Parking Analysis <input type="checkbox"/> Haz Mat Form <input type="checkbox"/> Lighting Cut Sheets <input type="checkbox"/> Other:  <b>Total Valuation:</b> _____  <b>Total Submittal Fees:</b> _____  <b>Validation:</b> _____   <b>Date Stamp:</b> _____
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**DATE:** 09/13/2021

**SUBJECT:** MARILYN C MOORE TR : PROPERTY ABATEMENT

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**LOCATION:** 438 W HERMOSA DR TEMPE AZ 85282

**LEGAL:** Book 123, Map 46, Parcel 093, as recorded with the Maricopa County Assessor

**OWNER:** MARILYN C MOORE TR  
438 W HERMOSA DR  
TEMPE AZ 85282

**FINDINGS:**

03/26/2021: Anonymous complaint was received regarding an obstructed sidewalk, by a tree, and a deteriorated landscape across the front yard. This was verified and a first notice was issued.

04/15/2021: At the second inspection no corrective action had taken place and a final notice was issued.

04/30/2021: At the third inspection no corrective action had taken place and a second final notice was issued.

06/03/2021: In a final attempt to reach a responsible party another final notice was issued, posted to the property, and sent to a new address for owner review before abatement would be initiated.

06/21/2021: The Abatement process was initiated due to lack of action and communication from the property owner.

08/18/2021: Anonymous complaints are received regarding a deteriorated landscape and overgrown vegetation.

08/24/2021: Additional complaints are received from an internal division, Streets, with concerns of an obstructed sidewalk.

09/13/2021: The abatement packet was turned in for the October 19<sup>th</sup>, 2021 Hearing Officer.

**RECOMMENDATIONS:**

The owner of this property MARILYN C MOORE has made no attempt to bring the property into compliance. Due to the continual lack of maintenance a 180-day open abatement is being sought for this property. I therefore request the City of Tempe Community Development Abatement Hearing Officer for authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code.

Respectfully submitted,

Hector Heredia  
Code Inspector  
City of Tempe

ACTION TAKEN: Submit

NAME 

DATE: 9/16/21



City of Tempe  
P. O. Box 5002  
Tempe, AZ 85280  
www.tempe.gov  
(480) 350-8372  
(480) 858-2231 (fax)

Code Compliance Division

## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 09/13/2021

TO: MARILYN C MOORE TR  
438 W HERMOSA DR  
TEMPE AZ 85282

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

**LEGAL:** Book 123, Map 46, Parcel 093, as recorded with the Maricopa County Assessor.

**LOCATION:** 438 W HERMOSA DR TEMPE AZ 85282

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of 10.19.2021. 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:

### VIOLATIONS:

CC 21-3.b.8 - Landscaping that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated appearance; or any dead trees, bushes, shrubs, or portions thereof, including stumps

CC 21-3.b.7 - Object, building, tree, bush, or vehicle that interferes with or obstructs a sidewalk or street

**As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. 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 \$1,592.00. 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 for 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) 350-8372.

Code Enforcement Officer: Hector Heredia

Phone Number 480-350-5462



**Artistic Land Management, Inc.**

August 25, 2021

City of Tempe  
Attn: Hector Heredia  
Code Inspector II

RE: Clean-Up at 438 W. Hermosa Dr.

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 438 W. Hermosa Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

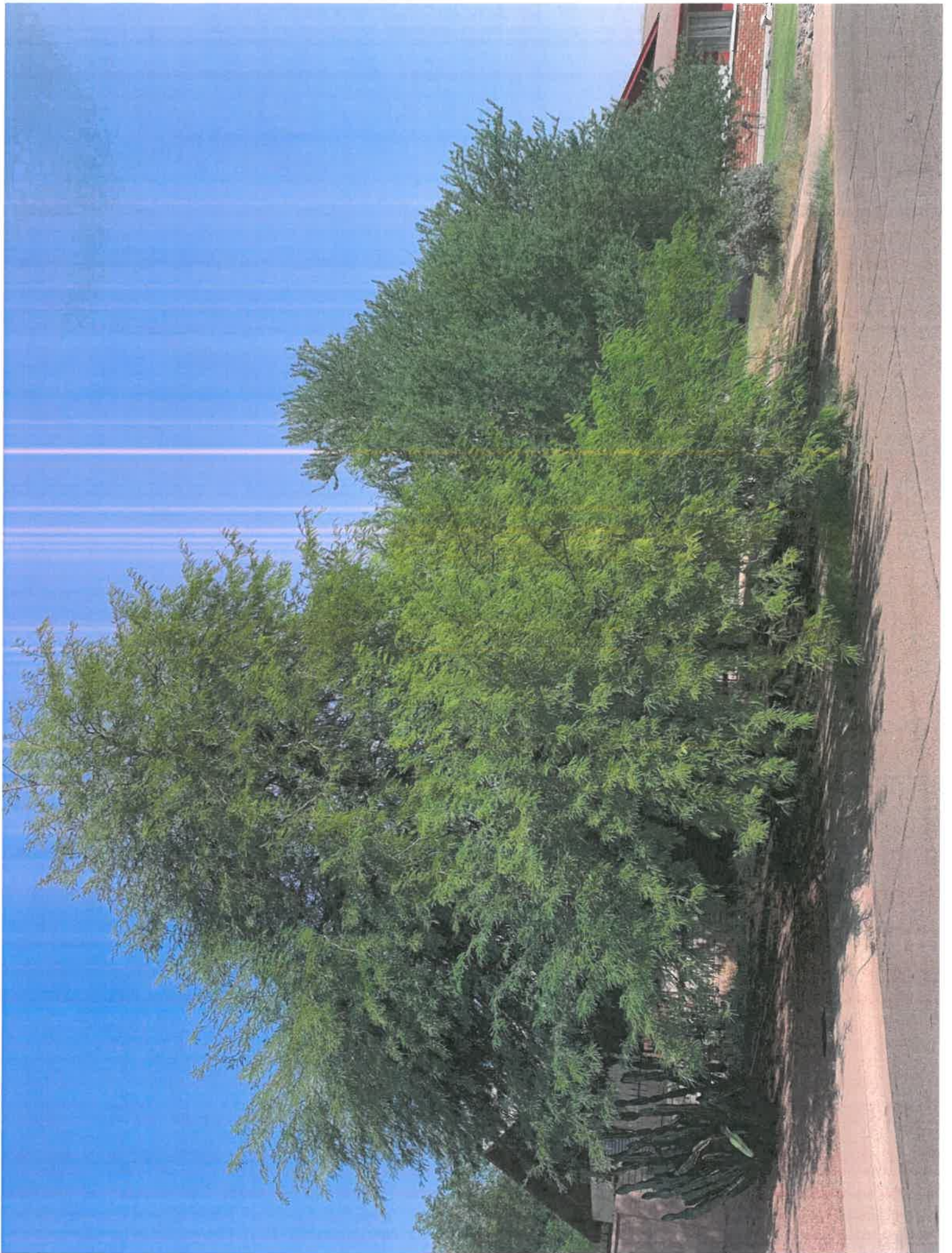
Scope of Work

- Clean-up deteriorated landscape in front yard gravel and right-of-way areas
- Trim tree obstructing sidewalk

Total = \$1,592.00

Respectfully,

Jose Hernandez











COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

04/01/2021

MOORE MARILYN C TR  
438 W HERMOSA DR  
TEMPE, AZ 85282-0000

Case #: CE211993  
Site Address: 438 W HERMOSA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/01/2021 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.

Section	Violation
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
CC 21-4.a.2.b	Deteriorated exterior painted surfaces with loose, cracked, scaling, chipping, or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please water your entire property's vegetation to bring it back to a living state, or please trim and maintain vegetation so it does not appear to be in a state of uncontrolled growth, dry or dead. This also includes eliminating grass and weeds through the gravel. Discard all landscaping debris appropriately and in designated bins or city dump sites. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/15/2021
CC 21-4.a.2.b	Please repair / restore all exterior paint that has begun to loosen, crack, is scaling, chipping or peeling from the front of your property to its original damage free state. Please use like materials to diminish a deteriorated state of appearance and to unify the overall restoration of the property. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/15/2021

CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please restore all areas that have any visible damage including lifted, torn, blown off or deteriorating materials. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing debris must be discarded appropriately in approved city dump sites or bins. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/15/2021
CC 21-4.a.3	Please display address numbers on your home so they are easily visible for public access. Make sure the numbers are not deteriorating, damaged, obstructed or missing, hindering clear sight from public access points. Painting the numbers on the curb or mailbox is not in compliance with the City of Tempe nuisance codes and the numbers must be mounted to the home itself.	4/15/2021

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

**Hector Heredia Jr**  
Code Inspector

**Direct: 480-350-5462**  
**Code Compliance: 480-350-4311**  
**Email: Hector\_Heredia@tempe.gov**

**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).  
**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.



COMMUNITY DEVELOPMENT DEPARTMENT  
 CODE COMPLIANCE  
 FINAL CORRECTION NOTICE

04/16/2021

MOORE MARILYN C TR  
 438 W HERMOSA DR  
 TEMPE, AZ 85282-0000

Case #: CE211993  
 Site Address: 438 W HERMOSA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/16/2021 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.

Section	Violation
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
CC 21-4.a.2.b	Deteriorated exterior painted surfaces with lose, cracked, scaling, chipping, or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please water your entire property's vegetation to bring it back to a living state, or please trim and maintain vegetation so it does not appear to be in a state of uncontrolled growth, dry or dead. This also includes eliminating grass and weeds through the gravel. Discard all landscaping debris appropriately and in designated bins or city dump sites. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/30/2021
CC 21-4.a.2.b	Please repair / restore all exterior paint that has begun to loosen, crack, is scaling, chipping or peeling from the front of your property to its original damage free state. Please use like materials to diminish a deteriorated state of appearance and to unify the overall restoration of the property. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/30/2021

CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please restore all areas that have any visible damage including lifted, torn, blown off or deteriorating materials. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing debris must be discarded appropriately in approved city dump sites or bins. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/30/2021
CC 21-4.a.3	Please display address numbers on your home so they are easily visible for public access. Make sure the numbers are not deteriorating, damaged, obstructed or missing, hindering clear sight from public access points. Painting the numbers on the curb or mailbox is not in compliance with the City of Tempe nuisance codes and the numbers must be mounted to the home itself. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/30/2021
CC 21-3.b.7	Please eliminate any bush or tree branches that obstruct clear passage of the sidewalk. The tree must be cut and maintained at 8.5 / 9 feet above the sidewalk and 13 feet above street level to keep those areas clear for all pedestrians. Please eliminate any bush, brush or tree branches that obstruct clear passage of the sidewalk in any way. Please maintain those areas always so they do not hinder the intended purpose of the sidewalk for all pedestrians. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	4/30/2021

**This is the final attempt to reach you regarding the above noted. These issues must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violations in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

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

**Hector Heredia Jr  
Code Inspector**

**Direct: 480-350-5462  
Code Compliance: 480-350-4311  
Email:Hector\_Heredia@tempe.gov**

**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).

**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.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE

04/30/2021

MOORE MARILYN C TR  
438 W HERMOSA DR  
TEMPE, AZ 85282-0000

Case #: CE211993  
Site Address: 438 W HERMOSA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 04/30/2021 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.

Section	Violation
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
CC 21-4.a.2.b	Deteriorated exterior painted surfaces with lose, cracked, scaling, chipping, or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please water your entire property's vegetation to bring it back to a living state, or please trim and maintain vegetation so it does not appear to be in a state of uncontrolled growth, dry or dead. This also includes eliminating grass and weeds through the gravel. Discard all landscaping debris appropriately and in designated bins or city dump sites. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/14/2021
CC 21-4.a.2.b	Please repair / restore all exterior paint that has begun to loosen, crack, is scaling, chipping or peeling from the front of your property to its original damage free state. Please use like materials to diminish a deteriorated state of appearance and to unify the overall restoration of the property. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/14/2021
CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please restore all areas that have any visible damage including lifted, torn, blown off or deteriorating materials. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing	5/14/2021

debris must be discarded appropriately in approved city dump sites or bins. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.

CC 21-4.a.3	Please display address numbers on your home so they are easily visible for public access. Make sure the numbers are not deteriorating, damaged, obstructed or missing, hindering clear sight from public access points. Painting the numbers on the curb or mailbox is not in compliance with the City of Tempe nuisance codes and the numbers must be mounted to the home itself. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/14/2021
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CC 21-3.b.7	Please eliminate any bush or tree branches that obstruct clear passage of the sidewalk. The tree must be cut and maintained at 8.5 / 9 feet above the sidewalk and 13 feet above street level to keep those areas clear for all pedestrians. Please eliminate any bush, brush or tree branches that obstruct clear passage of the sidewalk in any way. Please maintain those areas always so they do not hinder the intended purpose of the sidewalk for all pedestrians. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	5/14/2021
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Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Hector Heredia Jr**  
**Code Inspector**

**Direct: 480-350-5462**  
**Code Compliance: 480-350-4311**  
**Email: Hector\_Heredia@tempe.gov**

**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).

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COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE

06/08/2021

MOORE MARILYN C TR  
ATTN: PROPERTY OWNER / MOORE MARILYN CHRISTY  
7342 E LAGUNA AZUL AVE  
MESA, AZ 85209

Case #: CE211993  
Site Address: 438 W HERMOSA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 06/08/2021 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.

Section	Violation
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
CC 21-4.a.2.b	Deteriorated exterior painted surfaces with loose, cracked, scaling, chipping, or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please water your entire property's vegetation to bring it back to a living state, or please trim and maintain vegetation so it does not appear to be in a state of uncontrolled growth, dry or dead. This also includes eliminating grass and weeds through the gravel. Discard all landscaping debris appropriately and in designated bins or city dump sites. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	06/18/2021
CC 21-4.a.2.b	Please repair / restore all exterior paint that has begun to loosen, crack, is scaling, chipping or peeling from the front of your property to its original damage free state. Please use like materials to diminish a deteriorated state of appearance and to unify the overall restoration of the property. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	06/18/2021
CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please restore all areas that have any visible damage including lifted, torn, blown off or deteriorating materials. Make sure to use like materials from the surrounding areas to unify the	06/18/2021

restoration project and to diminish a deteriorated state of appearance. All roofing debris must be discarded appropriately in approved city dump sites or bins. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.

CC 21-4.a.3 Please display address numbers on your home so they are easily visible for public access. Make sure the numbers are not deteriorating, damaged, obstructed or missing, hindering clear sight from public access points. Painting the numbers on the curb or mailbox is not in compliance with the City of Tempe nuisance codes and the numbers must be mounted to the home itself. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. 06/18/2021

CC 21-3.b.7 Please eliminate any bush or tree branches that obstruct clear passage of the sidewalk. The tree must be cut and maintained at 8.5 / 9 feet above the sidewalk and 13 feet above street level to keep those areas clear for all pedestrians. Please eliminate any bush, brush or tree branches that obstruct clear passage of the sidewalk in any way. Please maintain those areas always so they do not hinder the intended purpose of the sidewalk for all pedestrians. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. 06/18/2021

**This is the final attempt to reach you regarding the above noted. These issues must be addressed. If your property is not brought into compliance before or on the due date a citation will be issued. There will be no more notices sent to your property due to negligence of the pending violations in a twelve-month period. As a final reminder, if your yard is out of compliance again in this period for the same violation/s, citations will be issued without further warning or notice. Please contact me by phone at your earliest convenience to discuss the details or for clarification.**

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

**Hector Heredia Jr**  
**Code Inspector**

**Direct: 480-350-5462**  
**Code Compliance: 480-350-4311**  
**Email: Hector\_Heredia@tempe.gov**

**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).

**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.



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE

06/08/2021

MOORE MARILYN C TR  
438 W HERMOSA DR  
TEMPE, AZ 85282-0000

Case #: CE211993  
Site Address: 438 W HERMOSA DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 06/08/2021 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.

Section	Violation
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
CC 21-4.a.2.b	Deteriorated exterior painted surfaces with loose, cracked, scaling, chipping, or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.2.c	Deteriorated roof; broken, rotted, split, curled or missing roofing material in such amounts as to present a deteriorated or slum-like appearance
CC 21-4.a.3	Outside of any building, any required address numbers which are not mounted to the building in a permanent and stationary manner, or are not visible at all times from public access areas to the dwelling
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please water your entire property's vegetation to bring it back to a living state, or please trim and maintain vegetation so it does not appear to be in a state of uncontrolled growth, dry or dead. This also includes eliminating grass and weeds through the gravel. Discard all landscaping debris appropriately and in designated bins or city dump sites. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	06/18/2021
CC 21-4.a.2.b	Please repair / restore all exterior paint that has begun to loosen, crack, is scaling, chipping or peeling from the front of your property to its original damage free state. Please use like materials to diminish a deteriorated state of appearance and to unify the overall restoration of the property. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.	06/18/2021
CC 21-4.a.2.c	Please repair your roof to its original damage free state. Please restore all areas that have any visible damage including lifted, torn, blown off or deteriorating materials. Make sure to use like materials from the surrounding areas to unify the restoration project and to diminish a deteriorated state of appearance. All roofing	06/18/2021

debris must be discarded appropriately in approved city dump sites or bins. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues.

CC 21-4.a.3 Please display address numbers on your home so they are easily visible for public access. Make sure the numbers are not deteriorating, damaged, obstructed or missing, hindering clear sight from public access points. Painting the numbers on the curb or mailbox is not in compliance with the City of Tempe nuisance codes and the numbers must be mounted to the home itself. Lastly, make sure that your property is being maintained on a regular basis, if not regularly present please make proper arrangements to address such issues. 06/18/2021

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

**Hector Heredia Jr  
Code Inspector**

**Direct: 480-350-5462  
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**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).

**Civil and Criminal Penalties**

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Address or Intersection

+

-

Home

Refresh

Feature Information

(1 of 2)

Clear

123-46-093

**Owner Information**

Owner Name: MOORE MARILYN C TR  
 Property Address: 438 W HERMOSA DR TEMPE 85282  
 Mailing Address: 438 W HERMOSA DR TEMPE AZ 85282  
 Deed Number: 060643388  
 Sale Price: \$

**Property Information**

Lat/Long: 33.388248, -111.946920  
 S/T/R: 33 IN 4E  
 Jurisdiction: TEMPE  
 Zoning: R1-S  
 PUC: 0131  
 Lot Size (sq ft): 9,592  
 MCR #: 134-47  
 Subdivision: KNOELL TEMPE 3  
 Lot #: 672  
 Floor: 1  
 Construction Year: 1971  
 Living Space (sq ft): 1,498

**Valuation Information**

Tax Year: 2022  
 FCV: \$239,800  
 LPV: \$148,484  
 Legal Class: 3.1

Home

Map

Layers

Zoom In

Zoom Out

Reset

Print

Zoom to Clear Selected

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