

MINUTES HEARING OFFICER November 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, Community Development Planning and Research Analyst
Shelbie Meyer, Administrative Assistant
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 November 16, 2021 at 3:00 PM, to the Community Development Department.

1. The following was noted:

• **Agenda Item No. 1**

October 19, 2021 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the October 19, 2021 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the **HERNANDEZ PROPERTY** located at 1853 E. Harvard Drive. The applicant is the City of Tempe (**CE214095**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

3. Request abatement of public nuisance items at the **PICKARD-BROWN PROPERTY** located at 1464 E. McNair Drive. The applicant is the City of Tempe (**CE213837**).

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

- Inspector Scofield requested a 180-day open abatement for deteriorated swimming pool, over height grass/weeds, grass/weeds in gravel landscaping, and deteriorated landscaping.
- On June 21, 2021, the complaint was filed with the Code Compliance division for over height grass/weeds, deteriorated landscaping, and deteriorated/green swimming pool.
- Multiple violation notices were sent to the property owner, including a final violation notice.
- No contact was made by the property owner to bring the property into compliance.

- Two (2) complaints were submitted to the Code Compliance division.
- A citation was also issued. The property owner paid for the fines shortly after being held responsible.

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 **CHANG PROPERTY** located at 1990 E. Rice Drive. The applicant is the City of Tempe (**CE213600**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

5. Request abatement of public nuisance items at the **RALSTON PROPERTY** located at 1310 W. 5th Street. The applicant is the City of Tempe (**CE212610**).

Andres Lara-Reyes, Code Inspector, gave the following overview of this case:

- Inspector Lara-Reyes requested a 180-day open abatement for junk/debris/trash and home occupation.
- On April 21, 2021, a complaint was received by the Code Compliance division regarding junk/debris/trash and auto home occupation.
- The inspector has had contact with the tenants, Chase and Cole, who is believed to be the grandchildren on the property owner. The grandparents are believed to be deceased.
- The complaint was validated on April 22, 2021 and the inspector spoke with Chase and explained the violations on site. Inspector explained he will be issuing a notice for the junk/debris/trash and home occupation. The tenant stated the issue would be taken care of within two (2 weeks).
- On May 10, 2021, no improvements were made with additional vehicles being added to the property and worked on. A final notice was sent.
- On May 25, 2021, little improvements were made. The inspector posted a pink door hanger, asking for compliance by June 1, 2021 to avoid citation.
- In June of 2021, a citation was issued for junk/debris/trash and inoperable vehicles.
- The inspector met with the tenant, Cole, on July 22, 2021, and explained the violations again. The tenant reassured the inspector they would remediate the issues on site.
- On August 3, 2021, some improvements were made.
- In September of 2021, more complaints were received regarding the junk/debris/trash and auto home occupation. A second citation was issued.
- On September 29, 2021, an additional complaint was submitted. No change or improvements have been made since August.

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 **T&T PROPERTY HOLDINGS PROPERTY** located at 1910 S. Priest Drive. The applicant is the City of Tempe (**CM210591**).

ABATEMENT REQUEST WITHDRAWN - PROPERTY IN COMPLIANCE

7. Request abatement of public nuisance items at the **NOWROOZ LP PROPERTY** located at 405 W. University Drive. The applicant is the City of Tempe (**CM210909**).

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

- Inspector Glab requested a 180-day open abatement for graffiti on the outside of a commercial building.
- Three (3) complaints were submitted online due to the state of the property.
- The case was initiated on July 14, 2021 for graffiti. The inspector confirmed the violations and sent a first violation notice.
- On July 28, 2021, the graffiti was still present. A second correction notice was mailed.
- On August 11, 2021, the graffiti was still present.
- Inspector Glab found another mailing address and email address for the property manager and sent an additional violation notice. Also, attached the violation notice to the email.
- On August 25, 2021, the graffiti remained.
- The Inspector called the property management company who had posted leasing information in the window and left a voicemail. The inspector received no response.
- On September 9, 2021, the graffiti remained. The inspector called the property management once more, with no avail.
- On October 1, 2021, the inspector sought the abatement process.
- The inspector received a voicemail from neighboring property owner who was asking that the graffiti be cleaned up.
- No contact was made by the property owner or property manager to bring the property into compliance.

ANNOUNCEMENTS

- Drew Yocom announced that the next meeting will take place on November 16, 2021 online through WebEx, broadcast through Tempe 11 and in the Tempe City Council Chambers.
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With no further business, the public hearing adjourned at 5:20 PM.

Prepared by: Shelbie Meyer
Reviewed by: Drew Yocom

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

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