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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 05/17/2022  
Agenda Item: 2**

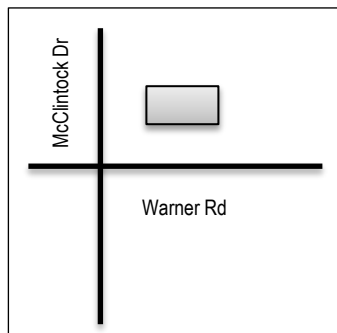
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**ACTION:** Request approval to abate public nuisance items at the Webb Property located at 8630 S. Hazelton Lane. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$2210.00 for abatement request, including grass and weeds in gravel landscape and the removal of a beehive. Security on site.

**RECOMMENDATION:** Staff – Approval

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the WEBB PROPERTY (CE221533). 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 CE221533: grass and weeds in gravel landscape and the removal of a beehive. The request includes the following:



Property Owner: Alfred Webb  
Applicant: City of Tempe – Code Compliance  
Zoning District: R1-7, Single Family Residential District  
Code: Compliance  
Inspector: Julie Scofield, Senior Code Inspector

**ATTACHMENTS:** Supporting Attachment

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

Department Director: Shelly Seyler, Interim Community Development Director  
Prepared by: Cassidy Hernandez, Administrative Assistant  
Reviewed by: Drew Yocom, Planning and Research Analyst

**COMMENTS:**

Code Compliance is requesting approval to abate the Webb Property located at 8630 S. Hazelton Lane in the R1-7, Single Family Residential District. This case was initiated 03/07/22 following 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 the 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	WEBB PROPERTY ABATEMENT	EXISTING ZONING	R1-7 <input type="checkbox"/>
PROJECT ADDRESS	8630 S. HAZELTON LANE, TEMPE, AZ 85284	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	ABATEMENT OF CE221533 HEARING IS MAY 17TH, 2022	PARCEL No(s)	308-01-252 <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)					
BUSINESS NAME	ADDRESS		3029 W. REDFIELD RD.		
CONTACT NAME	ALFRED WEBB	CITY	PHOENIX	STATE	AZ ZIP 85053
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	CITY OF TEMPE	ADDRESS	8630 S. HAZELTON LN.		
CONTACT NAME	JULIE SCOFIELD	CITY	TEMPE	STATE	AZ ZIP 85284
EMAIL	JULIE_SCOFIELD@TEMPE.GOV	PHONE 1	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
<i>Julie Scofield</i>		4/15/2022

BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs					
BUSINESS NAME	ADDRESS				
CONTACT NAME		CITY		STATE	ZIP
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)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			TOTAL APPLICATION FEES
SPR TRACKING # (if 2 <sup>nd</sup> or 3 <sup>rd</sup> submittal, please use Planning Resubmittal Form)			RECEIVED BY INTAKE STAFF (INITIALS)

**SEE REVERSE SIDE FOR REQUIRED PROJECT DATA**

**DATE:** 04/15/2022  
**TO:** Jack Scofield, Sr. Code Inspector  
**FROM:** Julie Scofield, Sr. Code Inspector  
**SUBJECT:** CE221533, Webb Property Abatement

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**LOCATION:** 8630 S. HAZELTON LN. TEMPE, AZ 85284

**LEGAL:** ESTATE LA COLINA UNIT 4

**PARCEL:** 308-01-252

**OWNER:** ALFRED WEBB  
3029 W. REDFIELD RD  
PHOENIX, AZ 85053

**FINDINGS:**

03/07/2022 The Code Compliance Division received a complaint for this property for deteriorated landscape, in the front and back yards. An inspection found that the property was in violation for grass and weeds in a gravel landscape (front yard) and over height grass and weeds (back yard). A notice was mailed to the owner, Alfred Webb.

03/21/2022 There has been no change to the property. A final notice was mailed. Attempted to call Mr. Webb, with no luck.

04/05/2022 Requested a bid from the contractors to abate the property. It will cover the cleanup of the landscape in the front and back yards and spraying the gravel with weed prevention.

04/13/2022 Received a complaint for bees. Went to the property and there were bees present by the front door. A notice was mailed to the owner. Had bees added to the abatement bid.

04/15/2022 Turned in the paperwork for the abatement hearing to be heard on May 17<sup>th</sup>, 2022.

**PROPERTY HISTORY**

11/17/2015-03/07/2016 (CE158511) Two (2) notices issued for landscape violations in the back yard. A citation was issued to the owner, of which he failed to appear. Went through the abatement process, was approved, and a cleanup took place.

07/09/2018-03/25/2019 (CE184123) Three (3) notices issued for the landscape violations in the front and back of the property, and a beehive in the back yard. A citation was issued to the owner, of which he failed to appear again. An abatement

hearing was held and approved for the landscape and bee removal. The cleanup was conducted, and the property was brought into compliance.

03/23/2020-11/10/2020 (CE202012) One (1) notice was mailed for the landscape in the front and back yards. There were also bees again in the back yard and this time in the front as well. Case went to abatement hearing and was approved. Two (2) cleanups were conducted under the 180-day open abatement. The property was brought into compliance.


**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violation at the property located at 8630 S. Hazelton Dr., due to property owner's failure to bring property into compliance with Tempe City Code 21-3. b.8 and 21-3. b.20. Mr. Webb was issued multiple notices. There has been no indication that the property owner 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. I also request that the abatement be approved for 180 days.

Respectfully submitted,

Julie Scofield  
Code Inspector II

ACTION TAKEN: Submitted  
NAME:   
DATE: 4/15/2022



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 04/15/2022  
CASE #: CE221533

**ALFRED WEBB**  
3029 W. REDFIELD RD.  
PHOENIX, AZ 85053

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

**LOCATION:** 8630 S HAZELTON LN TEMPE, AZ 85284  
**PARCEL:** 308-01-252

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **05/17/2022**. 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 appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps
- CC 21-3.b.20** Area infested with bees

**As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below. If the violation(s) have not been corrected, our office will proceed with the abatement process.**

- CC 21-3.b.8** REMOVE ALL GRASS AND OR WEEDS FROM THE FRONT AND OR SIDES OF THE PROPERTY IN THE GRAVEL LANDSCAPED AREAS. CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE BACK YARD OF THE PROPERTY.
- CC 21-3.b.20** REMOVE BEEHIVE FROM THE PORCH AREA OF THE FRONT YARD OF THE PROPERTY.

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 **\$2210.000**. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) 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.**

April 14, 2022

City of Tempe  
Attn: Julie Scofield  
Code Inspector II

RE: Clean-Up at 8630 S. Hazelton Ln.

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 8630 S. Hazelton Ln, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

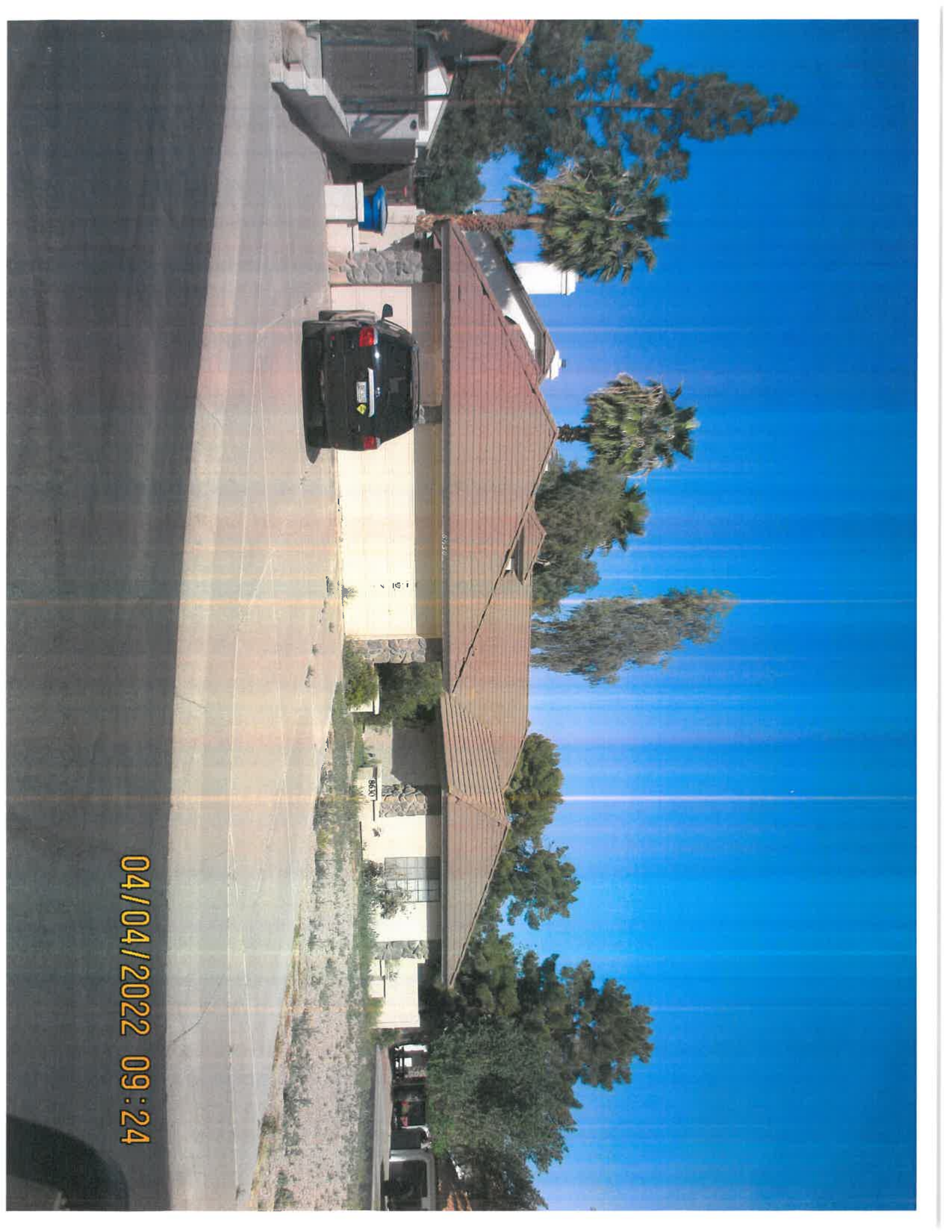
#### Scope of Work

- Landscape clean-up in the front and backyard
- Apply post-emergent chemical where needed
- Remove bees from property

Total = \$2,210.00

Respectfully,

Jose Hernandez



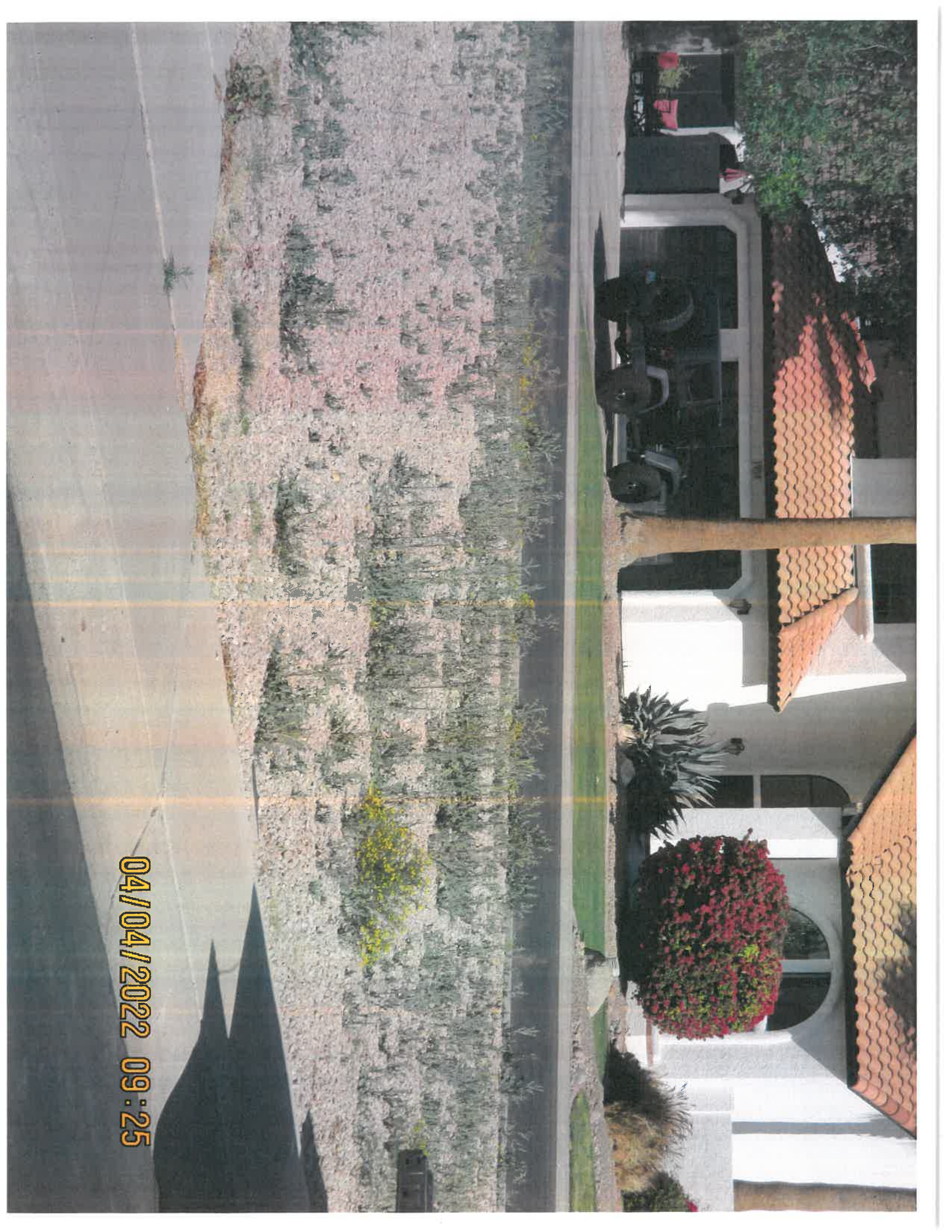
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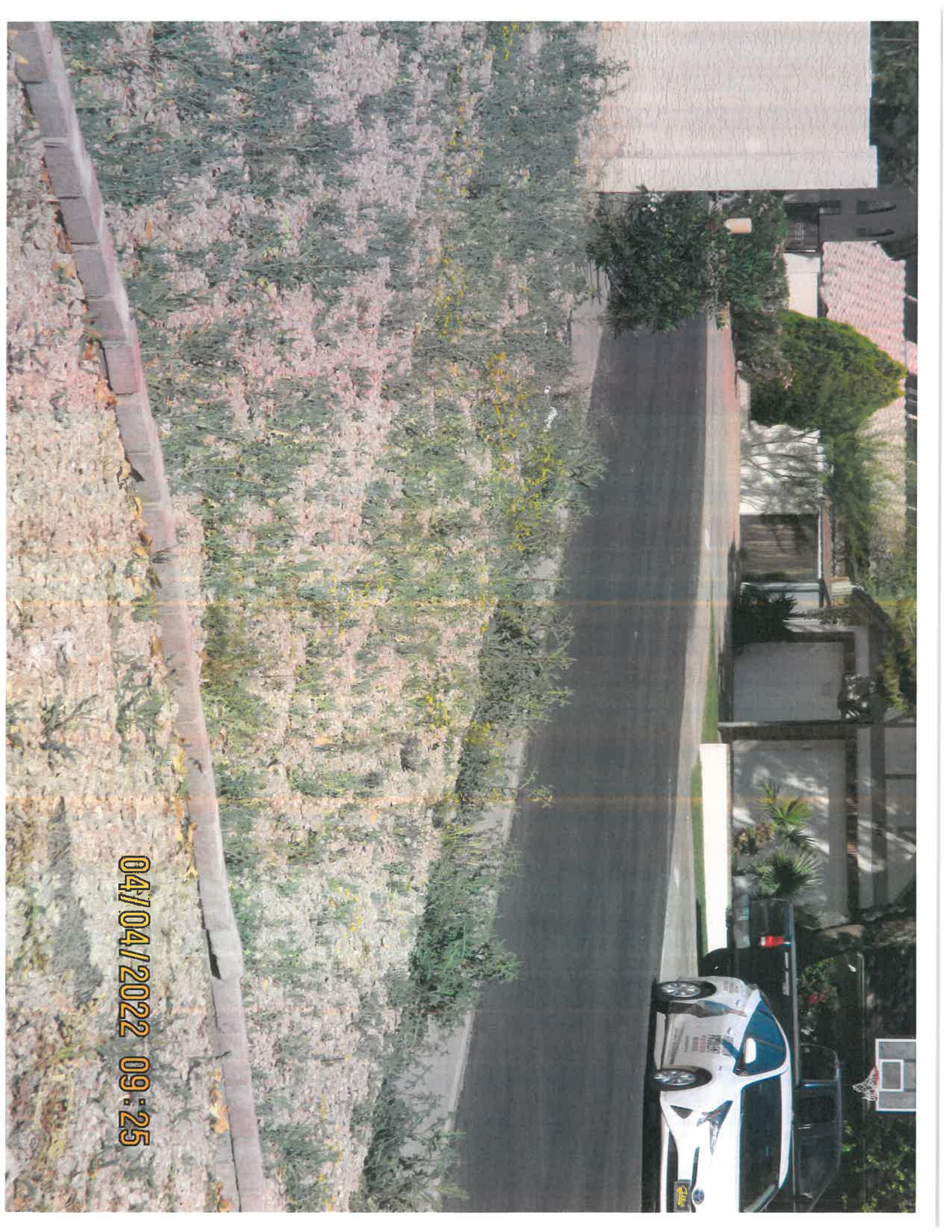


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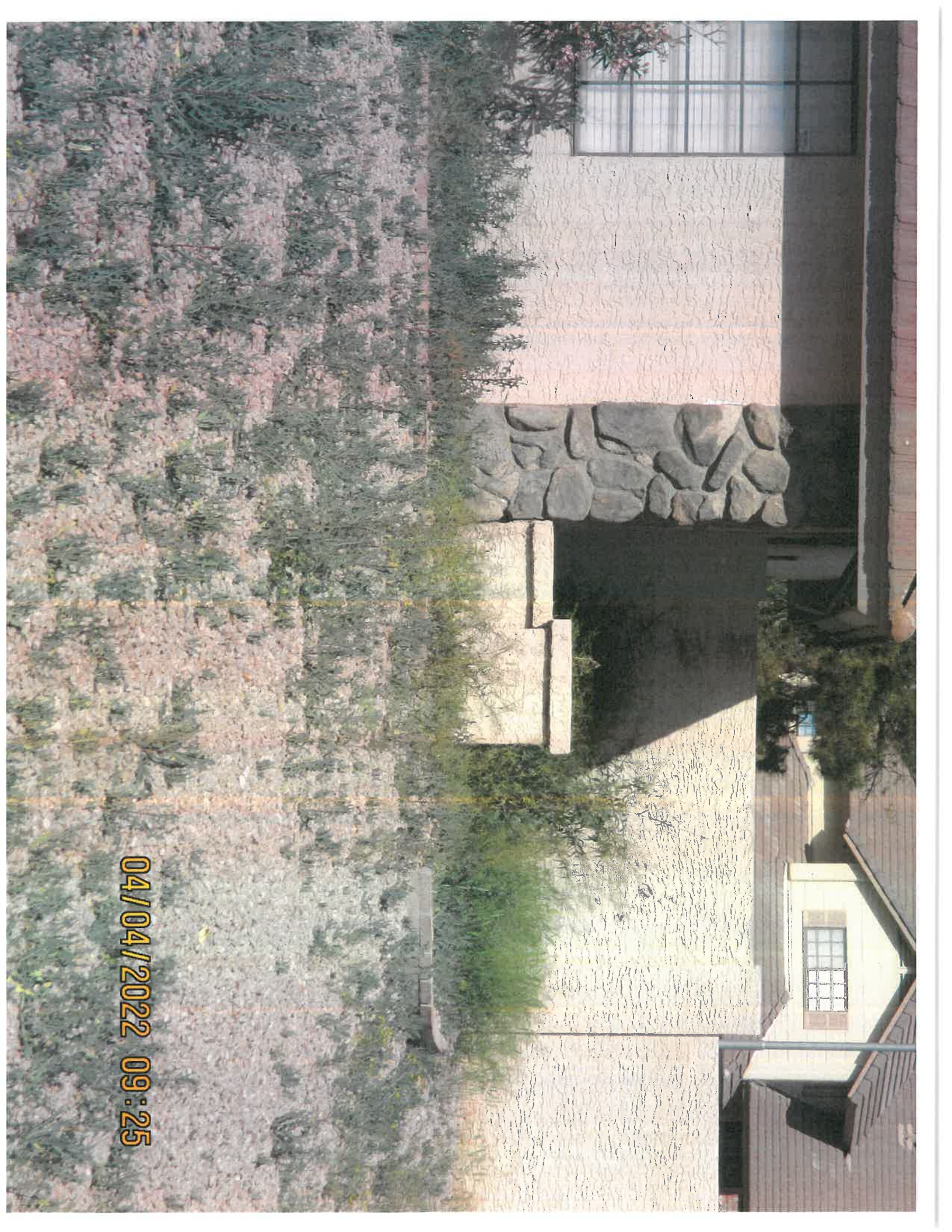
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04/04/2022 09:26



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

03/07/2022

WEBB ALFRED  
8630 S HAZELTON LANE  
TEMPE, AZ 85284

Case#: CE221533  
Site Address: 8630 S HAZELTON LANE. TEMPE, AZ 85284

**SITE REINSPECTION ON OR AFTER: 03/21/2022**

This is a notice to inform you that this site was inspected on 03/07/2022 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 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.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. PLEASE REMOVE ALL GRASS AND OR WEEDS FROM THE FRONT AND OR SIDES OF THE PROPERTY IN THE GRAVEL LANDSCAPED AREAS. ALL GRAVEL LANDSCAPES MUST BE MAINTAINED FREE AND CLEAR OF ANY UNCONTROLLED GROWTH REGARDLESS OF HEIGHT.
2. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE BACK YARD OF THE PROPERTY.

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 \$82.00 pursuant to City Code Section 21-51, subsection (b).



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

03/21/2022

WEBB ALFRED  
8630 S HAZELTON LANE  
TEMPE, AZ 85284

Case#: CE221533  
Site Address: 8630 S HAZELTON LANE. TEMPE, AZ 85284

**SITE REINSPECTION ON OR AFTER: 04/06/2022**

This is a notice to inform you that this site was inspected on 03/21/2022 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.

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2. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE BACK YARD OF THE PROPERTY.

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**

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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 \$82.00 pursuant to City Code Section 21-51, subsection (b).**



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

03/07/2022

WEBB ALFRED  
3029 W. REDFIELD RD  
PHOENIX, AZ 85023

Case#: CE221533  
Site Address: 8630 S HAZELTON LANE. TEMPE, AZ 85284

**SITE REINSPECTION ON OR AFTER: 03/21/2022**

This is a notice to inform you that this site was inspected on 03/07/2022 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.

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Julie Scofield  
Code Inspector II  
E-Mail

Direct: 480-350-8951  
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**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

03/21/2022

WEBB ALFRED  
3029 W. REDFIELD RD  
PHOENIX, AZ 85053

Case#: CE221533  
Site Address: 8630 S HAZELTON LANE. TEMPE, AZ 85284

**SITE REINSPECTION ON OR AFTER: 04/06/2022**

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2. PLEASE CUT ALL OVER HEIGHT GRASS AND OR WEEDS IN THE BACK YARD OF THE PROPERTY.

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

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**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE**

04/13/2022

WEBB ALFRED  
3029 W. REDFIELD RD  
PHOENIX, AZ 85053

Case#: CE221533

Site Address: 8630 S. HAZELTON LN. TEMPE, AZ 85284

**SITE REINSPECTION ON OR AFTER: 04/27/2022**

This is a notice to inform you that this site was inspected on 04/13/2022 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-20**

To leave or permit to remain on any property, areas infested with insects or rodents including, but not limited to: bees, wasps, hornets, yellow jackets, mice, rats, or roaches, in an amount that may become a hazard to public health or safety.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:**

1. REMOVE BEEHIVE AND BEE INFESTATION FROM THE FRONT DOOR/PORCH AREA OF THE FRONT OF THE PROPERTY.

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 \$82.00 pursuant to City Code Section 21-51, subsection (b).**