
**CITY OF TEMPE
HEARING OFFICER**

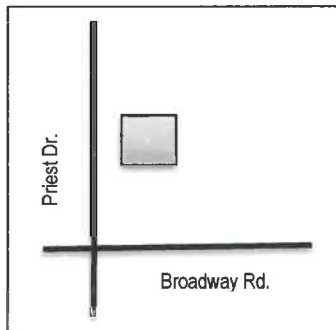
**Meeting Date: 07/19/2022
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the Jordan Property located at 1323 S. Shafer Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$16,874 for abatement request: remove stored items from the front, sides and rear yard areas of the property.

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 JORDAN 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 CE220767: remove stored items from the front, sides and rear yard areas of the property.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Andre Jordan
City of Tempe – Code Compliance
R1-6, Single Family Residential
Michelle Van Etten

ATTACHMENTS: Supporting Attachment

STAFF CONTACT: Drew Yocom, Code Administrator (480-858-2190)

Department Director: Jeffrey Tamulevich, Department Director
Legal review by: N/A
Prepared by: Barbara Simons, Code Inspector
Reviewed by: Drew Yocom, Code Administrator

COMMENTS:

Code Compliance is requesting approval to abate the Jordan Property located at 1323 S. Shafer Drive, in the R1-6 Single Family Residential district. This case was initiated 02/04/2022, 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

Planning Application

Part 1 of 2

City of Tempe
 Community Development Department
 31 East 5th 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	Sheila Jordan Abatement	EXISTING ZONING	R1-6	<input type="checkbox"/>
PROJECT ADDRESS	1323 S Shafer Dr., Tempe AZ 85281	SUITE(S)		<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement of CE220767 July 19, 2022	PARCEL No(s)	124-59-156	<input type="checkbox"/>

PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)

BUSINESS NAME	ADDRESS	1323 S Shafer Dr		
CONTACT NAME	CITY	STATE	ZIP	85281
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	ADDRESS	21 E 6th St, Suite 208		
CONTACT NAME	CITY	STATE	ZIP	85281
EMAIL	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	6/6/2022
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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. SUBDIVISIONS / CONDOMINIUMS			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
TOTAL NUMBER OF APPLICATIONS	0			

FOR CITY USE ONLY

DS TRACKING #	FILE THIS APPLICATION WITH CE / CM TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			
SPR TRACKING # (if 2 nd or 3 rd submittal, use planning resubmittal form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA



DATE: June 06, 2022
TO: Jack Scofield, Senior Code Inspector
FROM: Michelle Van Etten, Code Inspector
SUBJECT: CE220767 – 1323 S Shafer Dr., Tempe Abatement

LOCATION: 1323 S Shafer Dr., Tempe, AZ. 85281

PARCEL: 124-59-156

OWNER: Sheila Jordan
1323 S Shafer Dr
Tempe, AZ. 85281

FINDINGS:

On 02/04/2022 I inspected the property after receiving a “Tempe 311” complaint for trash and debris, lawn parking, and sidewalk obstruction. At that time, I observed trash and debris items in the side yard, driveway area, carport area, and in the front porch. I sent an initial notice.

On 03/07/2022 I reinspected the property. The trash and debris violation was not corrected and a final notice was sent.

On 03/21/2022 I reinspected the property and found that the violations were not corrected. I issued a pink placard at the residence asking for compliance or contact by 03/24/2022.

On 03/24/2022 I reinspected the property after not being contacted by the resident. The violations were still not corrected, and I issued a citation.

On 03/25/2022 I spoke with “Crystal Jordan.” She advised that her mother-in-law had been the homeowner, but she had passed away. According to her, since that time, she and her husband were attempting to clean up the residence. She asked for additional time to do so.

On 05/18/2022 a complaint was received from a neighbor about trash and debris items in the rear yard. I inspected and found that the rear yard was clearly in violation as well with a multitude of trash and debris items. I sent a secondary “final notice” to

encompass all the violations.

The citation has not been paid and is in collections. "Crystal Jordan" advised that the property is currently in probate, and she and her husband are currently residing there. They have not made significant progress with bringing the property into compliance.

On 06/06/2022 I inspected the property and found it to still be in violation. I posted a notice of intent to abate to the property and mailed a copy to the residence. I spoke with a gentleman who identified himself to me as "Andre Jordan." I explained the abatement process and that he could speak at the hearing if he had any further questions.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 1323 S Shafer Dr. due to property owner / responsible party for the property's failure to bring property into compliance with Tempe City Code 21-3.B.1, trash and debris. The owner / responsible party was given ample time to come into compliance and maintain the property. The listed property owner (who appears to be deceased) was issued a civil citation which has not been paid. There is no indication that the property will be brought into compliance in the near future. The property represents a health hazard and 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,

Michelle Van Etten
Code Inspector

ACTION TAKEN: Submit

NAME 

DATE: 6/6/22



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE:06/06/2022
CASE # CE220767

ANDRE JORDAN / SHEILA JORDAN / RESPONSIBLE PARTY
1323 S SHAFER DR
TEMPE, AZ 85281

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

LOCATION: 1323 S Shafer Dr., Tempe AZ 85281
PARCEL: 124-59-156

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers on 07/19/2022. 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.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.

If the violations have not been corrected within thirty 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:

- 1. REMOVE ALL TRASH AND DEBRIS FROM THE FRONT, SIDE, AND REAR YARD AREAS OF THE RESIDENCE. (INCLUDING, BUT NOT LIMITED TO FURNITURE, BOXES, WOOD, METAL DRUMS, PALLETS, STORAGE CONTAINERS, METAL PIECES, MISC. HOUSEHOLD ITEMS, AND OTHER MISC. ITEMS)**

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 **\$16,874.00**. 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) 350-4311.

Code Inspector: Michelle Van Etten

Phone Number: 480-350-2895

E-mail: michelle_vanetten@tempe.gov



Artistic Land Management, Inc.

May 24, 2022

City of Tempe
Attn: Michelle Van Etten
Code Compliance Inspector

RE: Clean-Up at 1323 S. Shafer 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 1323 S. Shafer Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

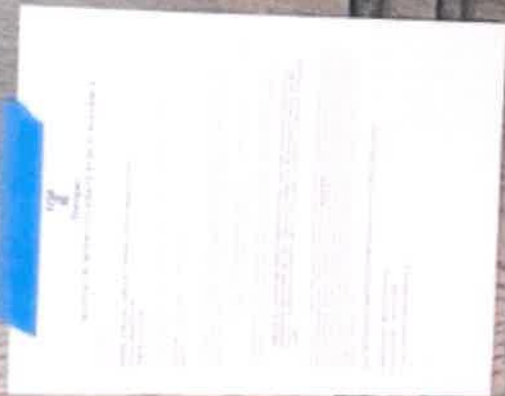
- Remove trash and debris from the front, side, and backyard
- Police presence for the duration of the visit

Total = \$16,874.00

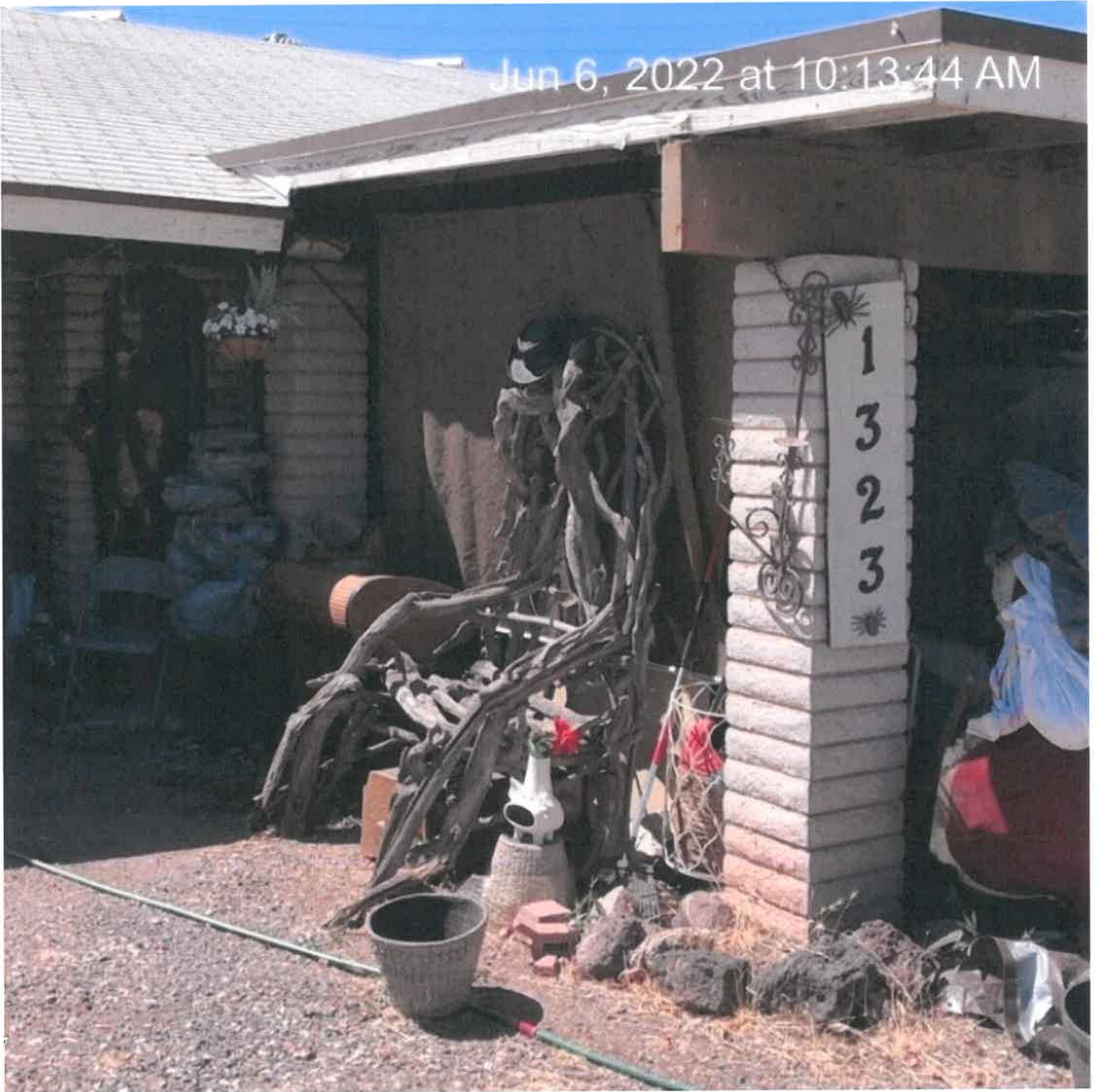
Respectfully,

Jose Hernandez

Jun 6, 2022 at 10:13:22 AM



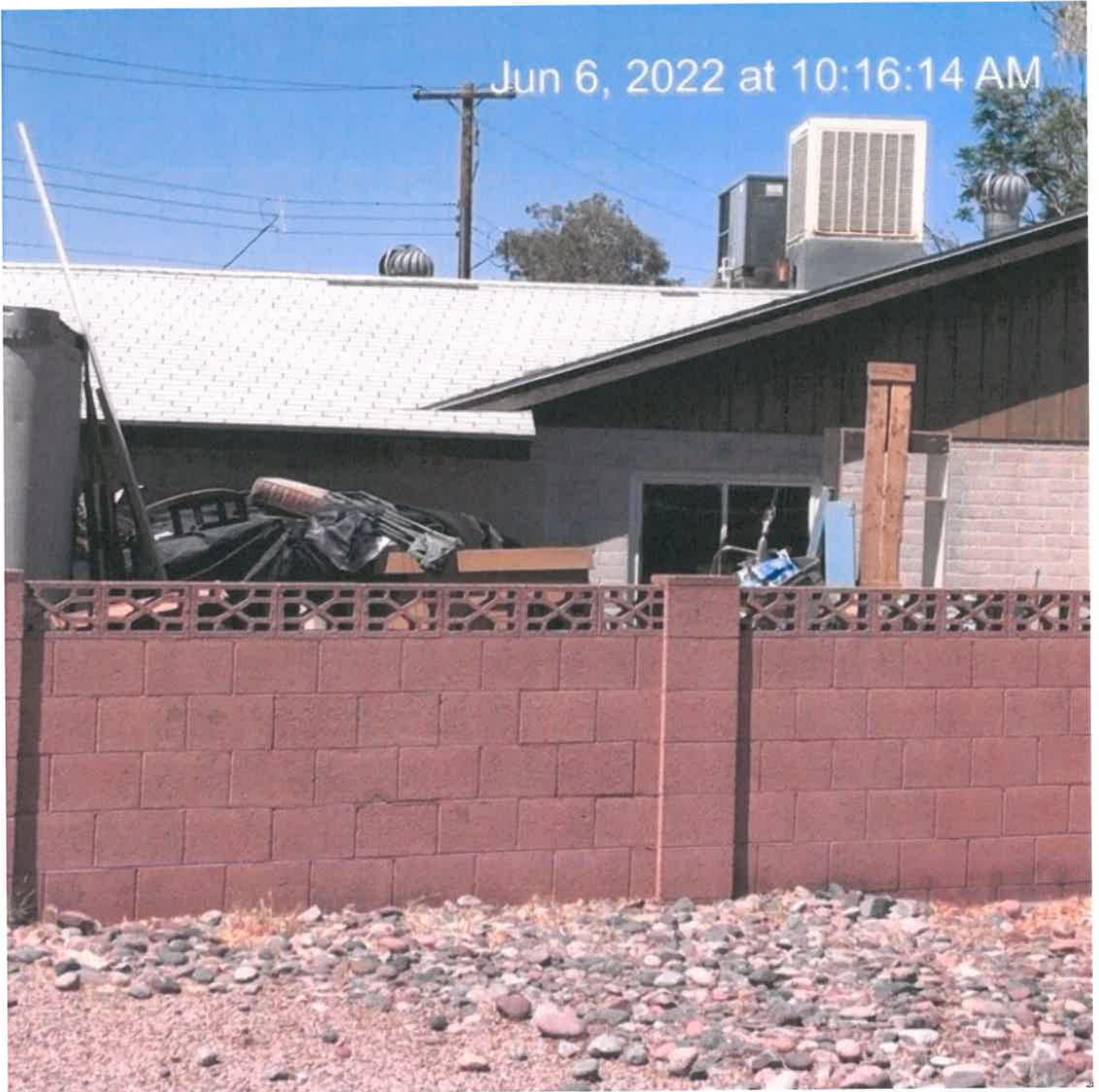
Jun 6, 2022 at 10:13:44 AM



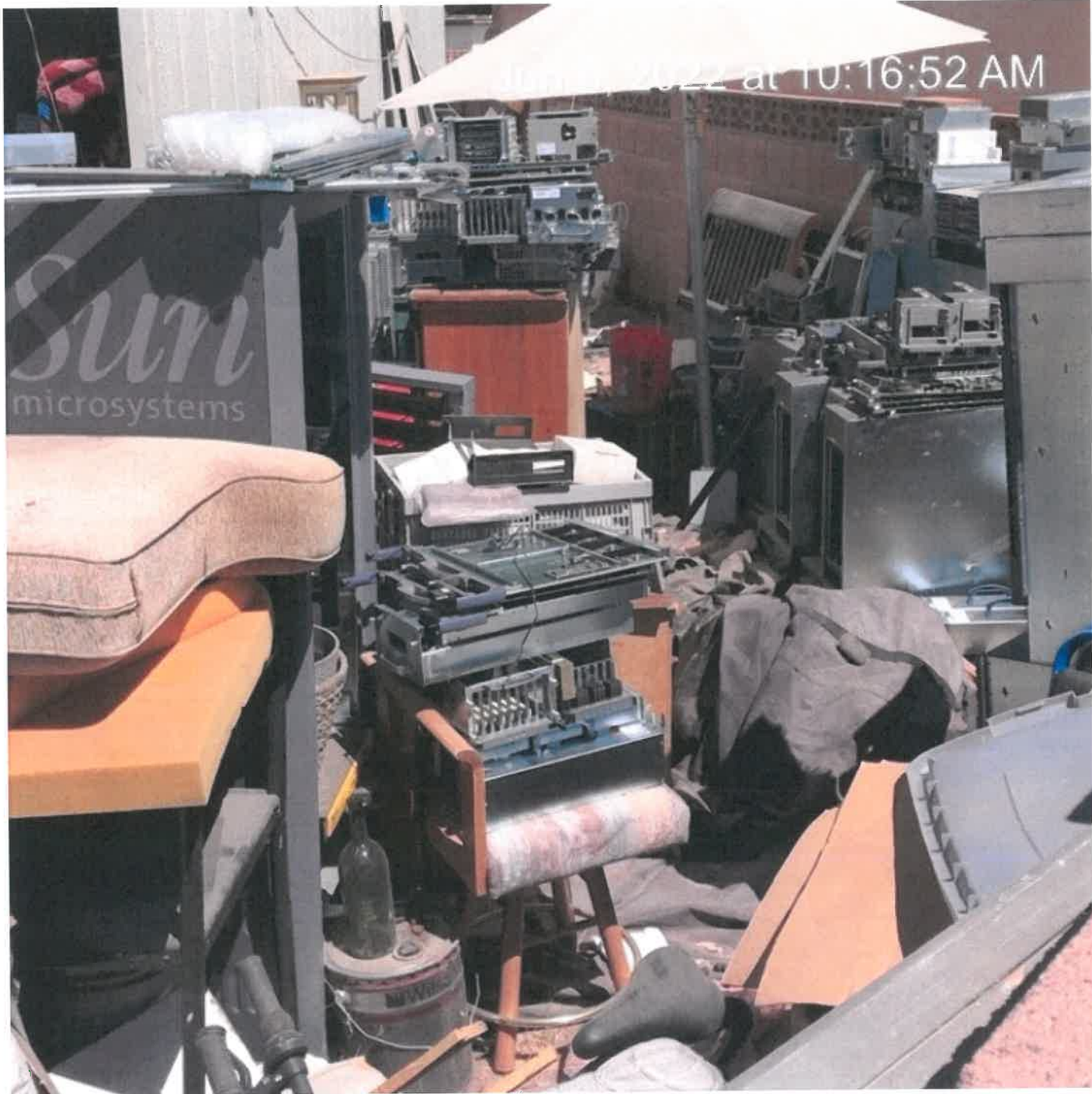
Jun 6, 2022 at 10:14:15 AM



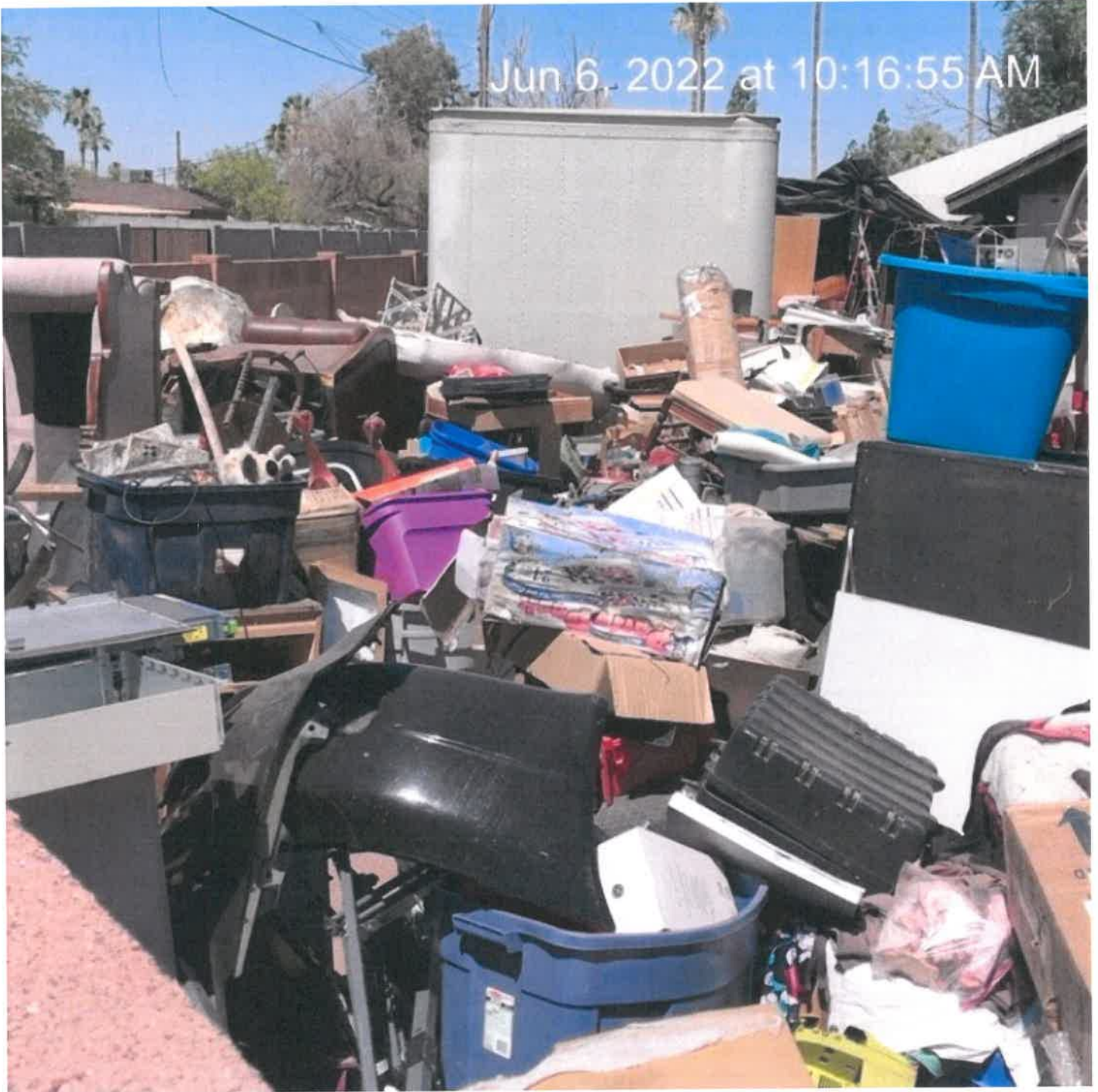
Jun 6, 2022 at 10:16:14 AM



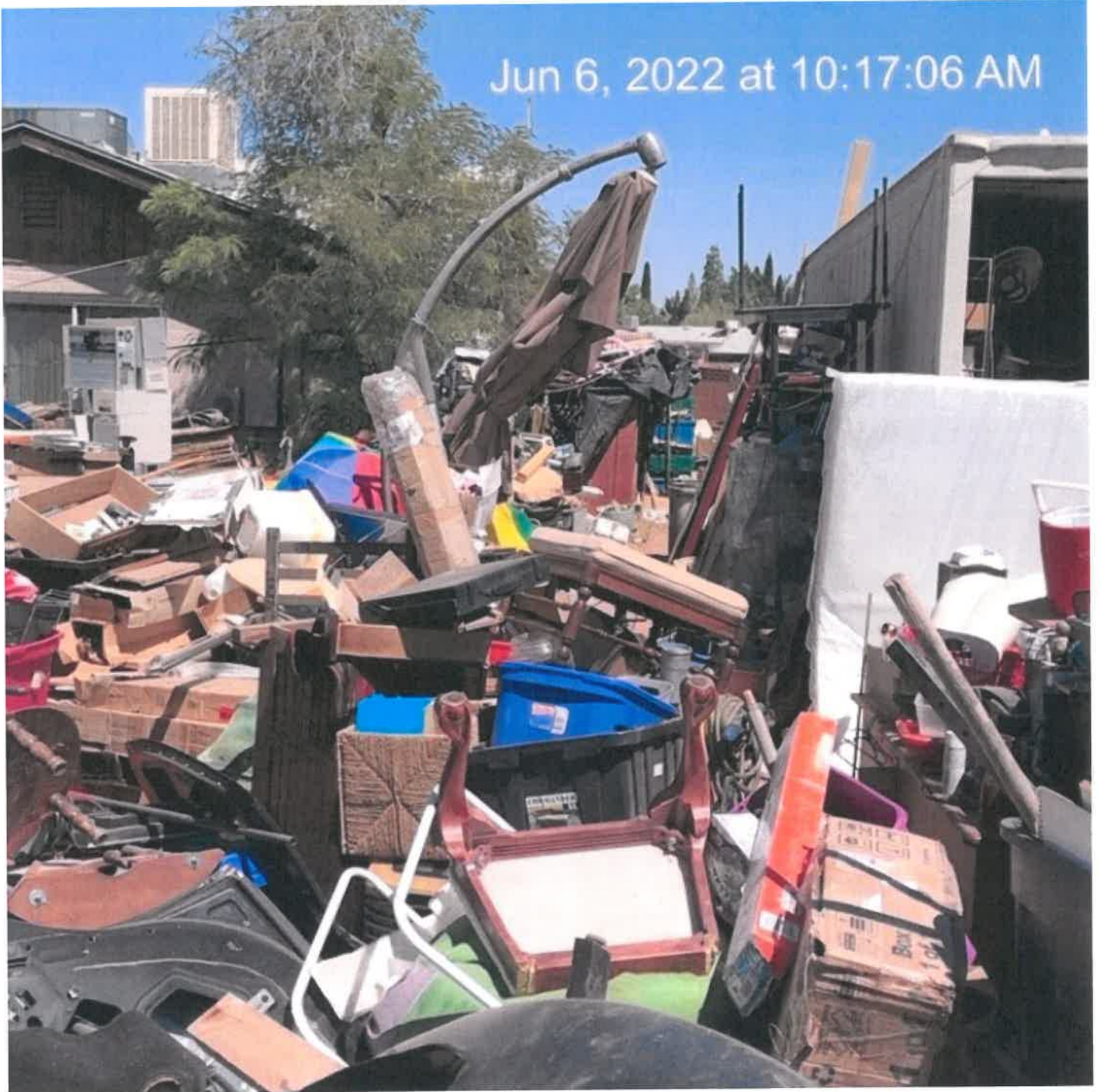
10/16/22 at 10:16:52 AM

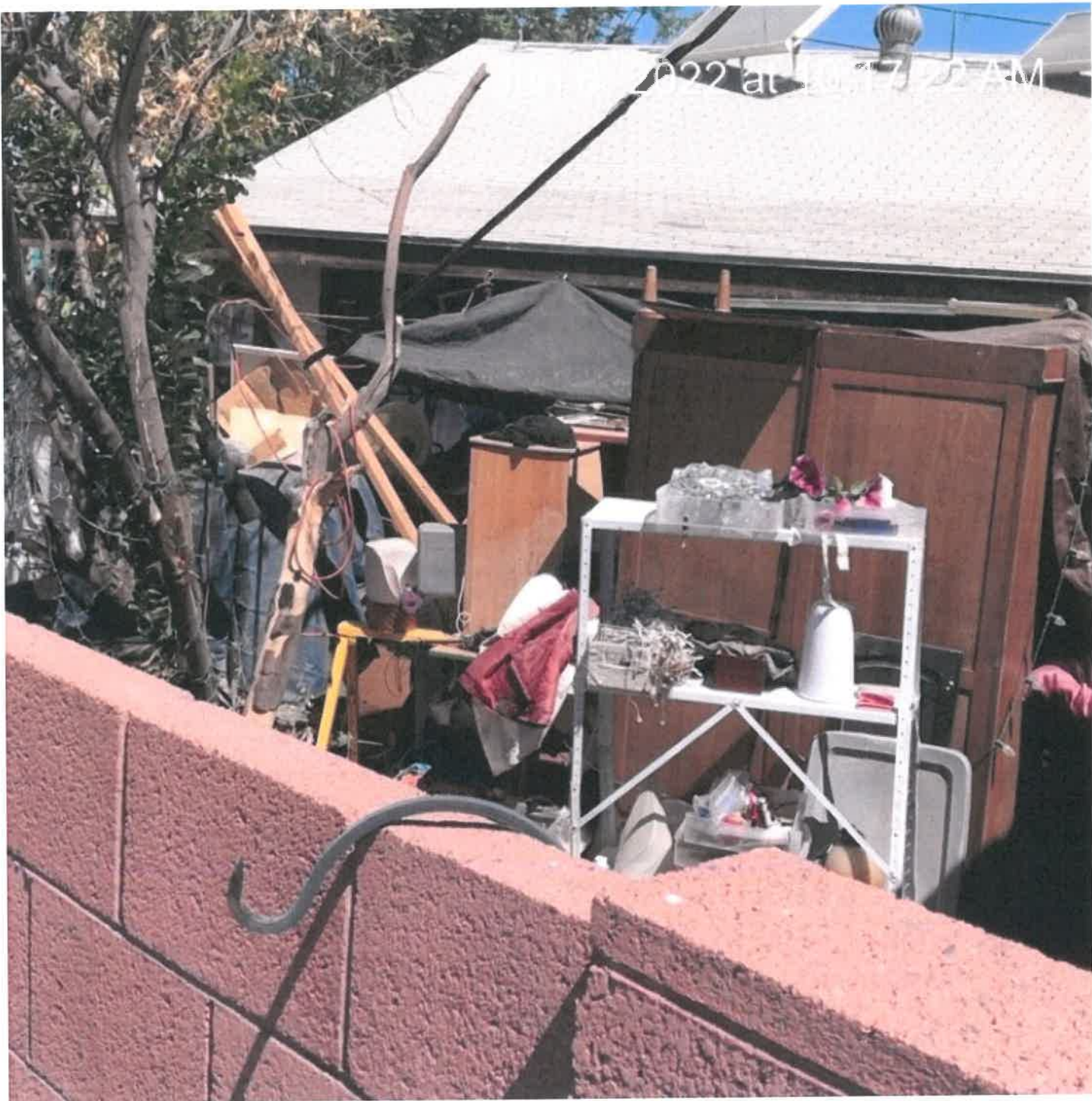


Jun 6, 2022 at 10:16:55 AM

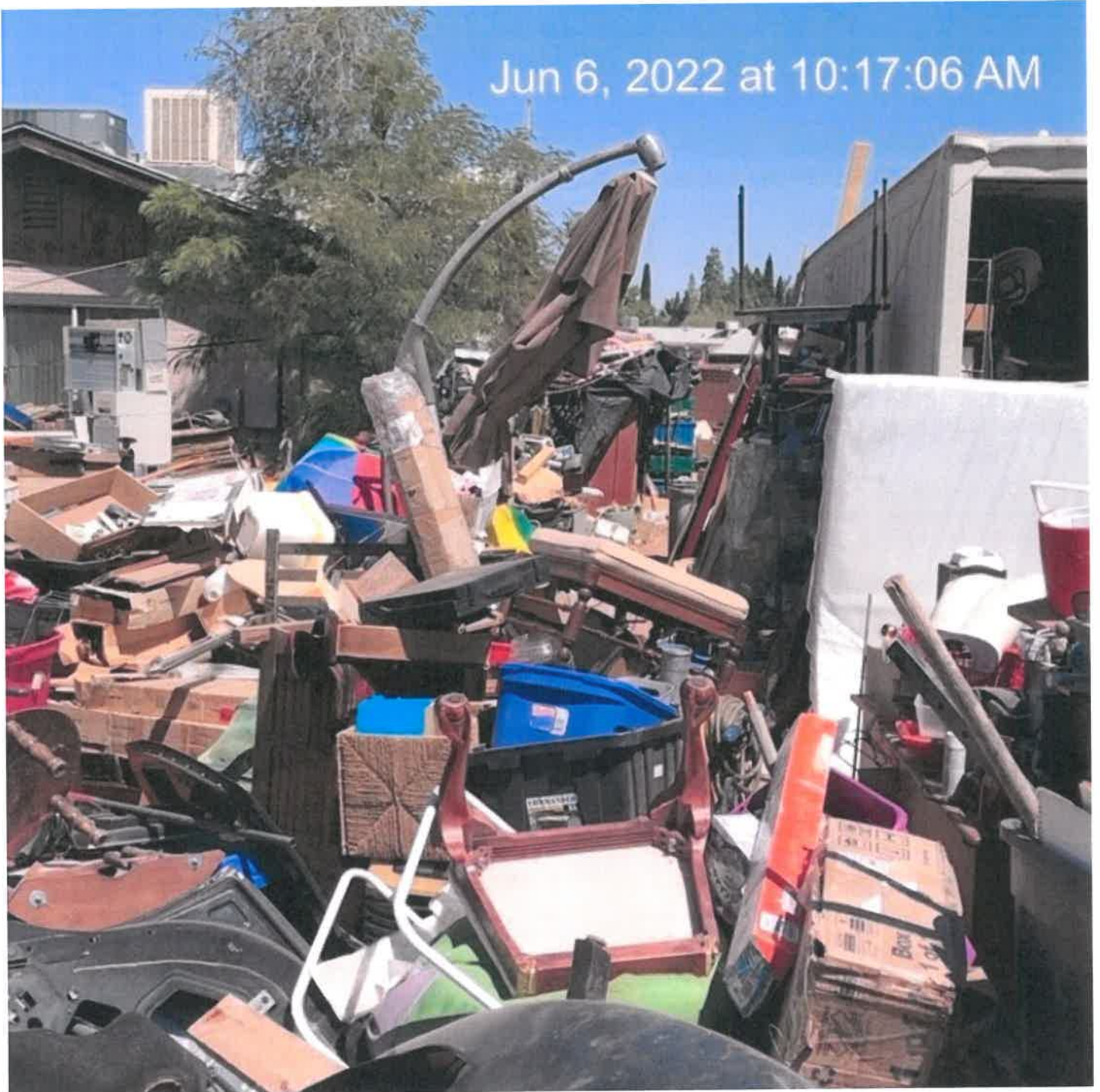


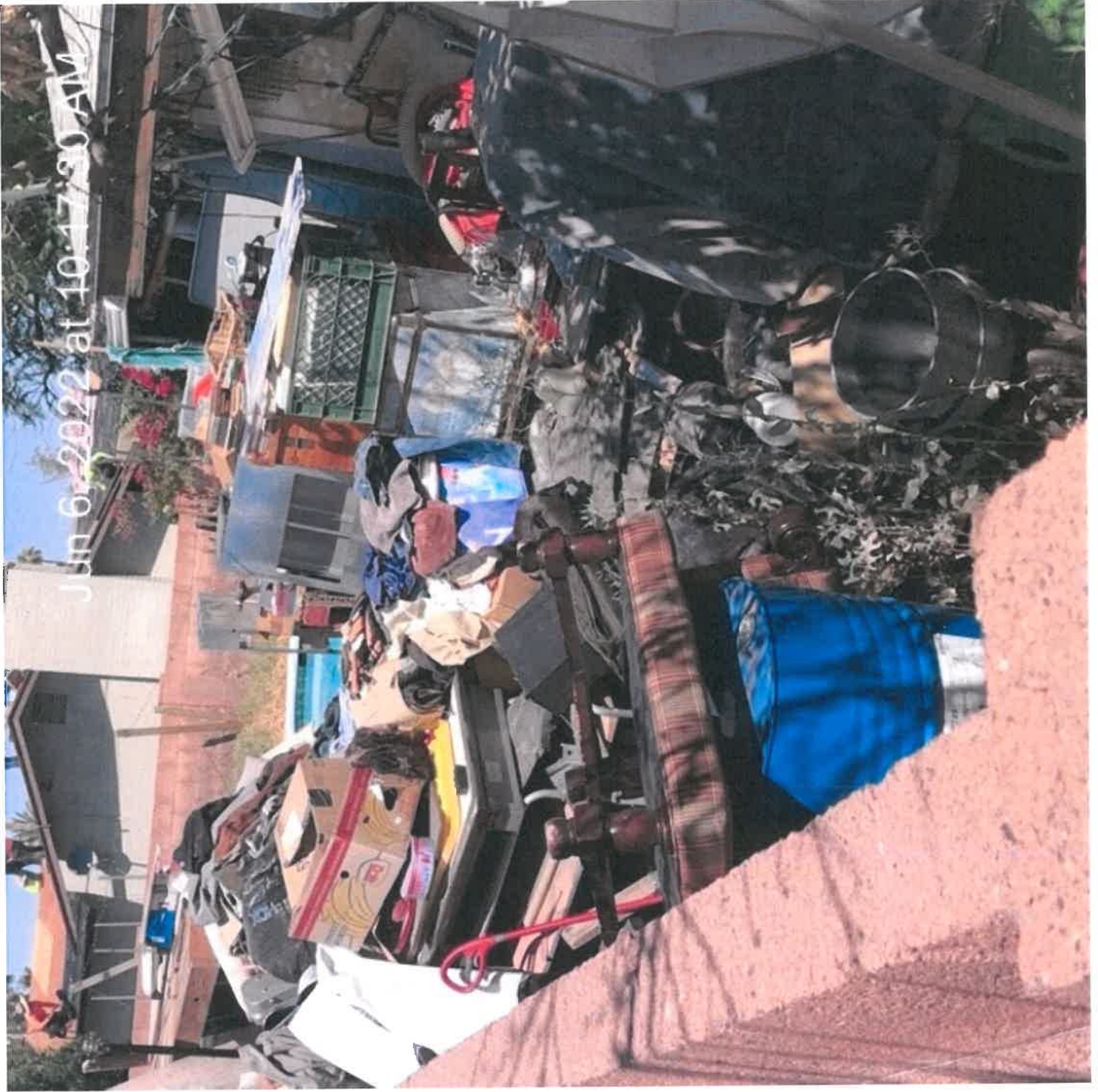
Jun 6, 2022 at 10:17:06 AM





Jun 6, 2022 at 10:17:06 AM







COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

02/04/2022

JORDAN SHEILA R / EUGENE JORDAN / ANDRE JORDAN
1323 S SHAFFER DR
TEMPE, AZ 85281

Case #: CE220767
Site Address: 1323 S SHAFER DR, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 02/04/2022 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.

Section	Violation
CC 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

**SITE REINSP
ON OR
AFTER**

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

CC 21-3.b.1	PLEASE REMOVE ALL ITEMS FROM FRONT AND / OR SIDE OF THE PROPERTY, INCLUDING THE FRONT PORCH AREA ITEMS INCLUDE MISC. TRASH, AUTO PARTS, BUCKETS, FURNITURE, WOOD, CONTAINERS, CARDBOARD, METAL, ANY HOUSEHOLD ITEMS, AND MISC. ITEMS. THIS INCLUDES ITEMS STORED UNDERNEATH THE TARPS AND / OR FABRIC COVERINGS IN THE CARPORT AREA.
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3/6/2022

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

Michelle Van Etten
Code Inspector

Direct: 480-350-2895
Code Compliance: 480-350-4311
Email: michelle_vanetten@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 \$82.00 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

03/07/2022

JORDAN SHEILA R / EUGENE JORDAN / ANDRE JORDAN
1323 S SHAFFER DR
TEMPE, AZ 85281

Case #: CE220767
Site Address: 1323 S SHAFER DR, TEMPE, AZ 85281

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.

Section	Violation
CC 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

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE ALL ITEMS FROM FRONT AND / OR SIDE OF THE PROPERTY, INCLUDING THE FRONT PORCH AREA ITEMS INCLUDE MISC. TRASH, AUTO PARTS, BUCKETS, FURNITURE, WOOD, CONTAINERS, CARDBOARD, METAL, ANY HOUSEHOLD ITEMS, AND MISC. ITEMS. THIS INCLUDES ITEMS STORED UNDERNEATH THE TARPS AND / OR FABRIC COVERINGS IN THE CARPORT AREA.	03/21/2022

CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED

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

Michelle Van Etten
Code Inspector

Direct: 480-350-2895
Code Compliance: 480-350-4311
Email: michelle_vanetten@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 \$82.00 pursuant to City Code Section 21-51, subsection (b).
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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

05/19/2022

ANDRE JORDAN
1323 S SHAFER DR
TEMPE, AZ 85281

Case #: CE220767
Site Address: 1323 S SHAFER DR, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 05/19/2022 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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CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED AND / OR ABATEMENT PROCEEDINGS WILL BE INITIATED

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

Michelle Van Etten
Code Inspector

Direct: 480-350-2895
Code Compliance: 480-350-4311
Email:michelle_vanetten@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 \$82.00 pursuant to City Code Section 21-51, subsection (b).

Civil and Criminal Penalties

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

05/19/2022

JORDAN, SHEILA R
1323 S SHAFFER DR
TEMPE, AZ 85281

Case #: CE220767
Site Address: 1323 S SHAFER DR, TEMPE, AZ 85281

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CORRECTIVE ACTION MUST BE COMPLETED OR CITATIONS WILL BE ISSUED AND / OR ABATEMENT PROCEEDINGS WILL BE INITIATED

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

Michelle Van Etten
Code Inspector

Direct: 480-350-2895
Code Compliance: 480-350-4311
Email:michelle_vanetten@tempe.gov

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Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County
State of Arizona



Complaint Number 1702477		Case Number	Social Security Number		Military	<input type="checkbox"/> Serious Physical Injury	<input type="checkbox"/> Accident	<input type="checkbox"/> Fatality	<input type="checkbox"/> Commercial		
Driver's License No.		DLP <input type="checkbox"/>	State	Class	Endorsements M H N P T X D			Incident Report Number CE220767			
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language		Defendant Name (First, Middle, Last) SHEILA R. JORDAN							Juvenile		
Residence Address, City, State, Zip Code 1323 S. SHAFER DR, TEMPE AZ. 85281		Telephone: (cell phone) <input type="checkbox"/>									
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions	Email Address			
Business Address, City, State, Zip Code								Business Phone No. () () ()			
Vehicle		Color	Year	Make	Model	Style	License Plate	State	Expiration Date		
Registered owner & address, City, State, Zip Code							Vehicle Identification Number				

The Undersigned Certifies That:

On	Month 03	Day 24	Year 2022	Time 0923	<input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace	Direction of Travel	
At	Location 1323 S. SHAFER DR.					<input checked="" type="checkbox"/> Tempe	85281	State of Arizona		Area	Dist.	

The Defendant Committed the Following:

A	Section: TU 21-3 A	ARS Violation: CC 21-3.b.1 TRASH + DEBRIS	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
MVD					
B	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
MVD					
C	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
MVD					
D	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
MVD					
E	Section:	ARS Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code <input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
MVD					

You must appear on the date and time indicated at:	Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753	<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: 04/14/2022	Time: Between 9AM & 4PM
	<input type="checkbox"/> Court:	<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM
	Court Address, City, State, Zip Code		Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM

Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.	
X MAILED	M. VAN ETEN	806D
	Complainant	PSN

Comments: **Juvenile Notification:**
Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____

FIRST CITATION \$ 200.00

Date issued if not violation date _____

COMPLAINT



1702477

If you were charged with a civil ordinance violation and you fail to appear as directed in this complaint, a default judgement will be entered, and a monetary penalty will be imposed.