

CITY OF TEMPE HEARING OFFICER

Meeting Date: 07/19/2022

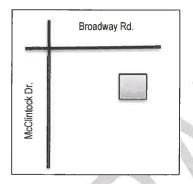
Agenda Item: 4

ACTION: Request approval to abate public nuisance items at the Sandstedt Property located at 1956 E. Palmcroft Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$688 for abatement request: front and side landscape cleanup.

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 SANDSTEDT 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 CE220745: front and side landscape cleanup.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Virginia Sandstedt City of Tempe – Code Compliance R1-6, Single Family Residential Melissa Ensing

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 Sandstedt Property located at 1956 E. Palmcroft Drive, in the R1-6 Single Family Residential district. This case was initiated 02/02/2022, 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.

Planning Application Submittal Form

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	SANDSTEDT PROPERTY	ABATE		IN OIGHAI	TOTAL NEW OWNER	EXISTING ZONING	R1-6					
	PRO	JECT ADDRESS	1956 E PALMCROFT., TEI	MPE, A		SUITE(S)								
PRO)JEC	T DESCRIPTION	ABATEMENT OF CE22074	15				PARCEL No(s)	133-5	51-058				
			JULY 19, 2022											
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	C	CONTACT NAME	Virginia Sandstedt			СПҮ	Tempe	STATE	AZ	ZIP	85281			
		EMAIL	_			PHONE 1		PHONE 2	-					
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					RSIGNATURE	Х			DATE					
	or atta	ach written statei	ment authorizing the applicant to			INFORMA	TION – REQUIRED		· ·					
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	С	ONTACT NAME	MELISSA ENSING/CODE	NSPEC	TOR	CITY	TEMPE	STATE	AZ	ZIP	85281			
		EMAIL	melissa_ensing@tempe.go	v		PHONE 1	480-858-2085	PHONE 2						
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DATE:

June 10, 2022

TO:

Jack Scofield, Senior Code Inspector

FROM:

Melissa Ensing, Code Inspector

SUBJECT:

CE220745, Virginia Sandstedt Property Abatement

LOCATION: 1956 E. Palmcroft Dr. TEMPE, AZ 85282

PARCEL:

13351058

OWNER:

VIRGINIA SANDSTEDT

1117 S. ASH AVE. TEMPE, AZ 85281

FINDINGS:

02/02/2022 I inspected property and observed deteriorated landscape. Grass and weeds growing in the gravel landscape in the front and side yards. Notice to comply mailed to owner.

02/16/2022 I inspected property and found landscape to be even more deteriorated. Mailed final notice to comply to owner.

03/09/2022 Posted notice to property to comply or contact me 03/11/2022.

03/14/2022 Civil Citation issued.

03/30/2022 I inspected property and it appeared the weeds may have been sprayed. Owner paid first citation.

04/28/2022 I inspected property and observed the landscape to be deteriorated with the grass and weeds in the front and side yards. Second citation issued.

05/26/2022 Owner failed to appear for court for the second citation.

05/26/2022 I attempted to contact the owner by phone.

06/10/2022 Posted notice of intent to abate to property and mailed to property owner.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 1956 E. Palmcroft Dr. due to property owner's failure to bring property into compliance with Tempe City Code 21-3.B.8. Ms. Sandstedt has been given ample time to come into compliance and maintain the property. The property owner has been issued two civil citations and has failed to appear to court for the second citation. There has been no indication that the property owner will bring the property into compliance. 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,

Melissa Ensing Code Inspector

NAME

DATE:



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 06/10/2022 CASE #: CE220745

SANDSTEDT ROBERT M/VIRGINIA TR 1117 S ASH AVE 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: 1956 E PALMCROFT DR TEMPE, AZ 85282

PARCEL: 13351058

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers 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.8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

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 GRASS AND WEEDS FROM FRONT AND SIDE YARDS. GRAVEL LANDSCAPE MUST BE MAINTAINED FREE OF GRASS AND WEEDS.

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 \$688.00. 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.

Code Inspector: Melissa Ensing Phone Number: 480-858-2085

E-mail: Melissa Ensing@tempe.gov



June 8, 2022

City of Tempe Attn: Melissa Ensing Code Compliance Inspector

RE: Clean-Up at 1956 E. Palmcroft 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 1956 E. Palmcroft Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

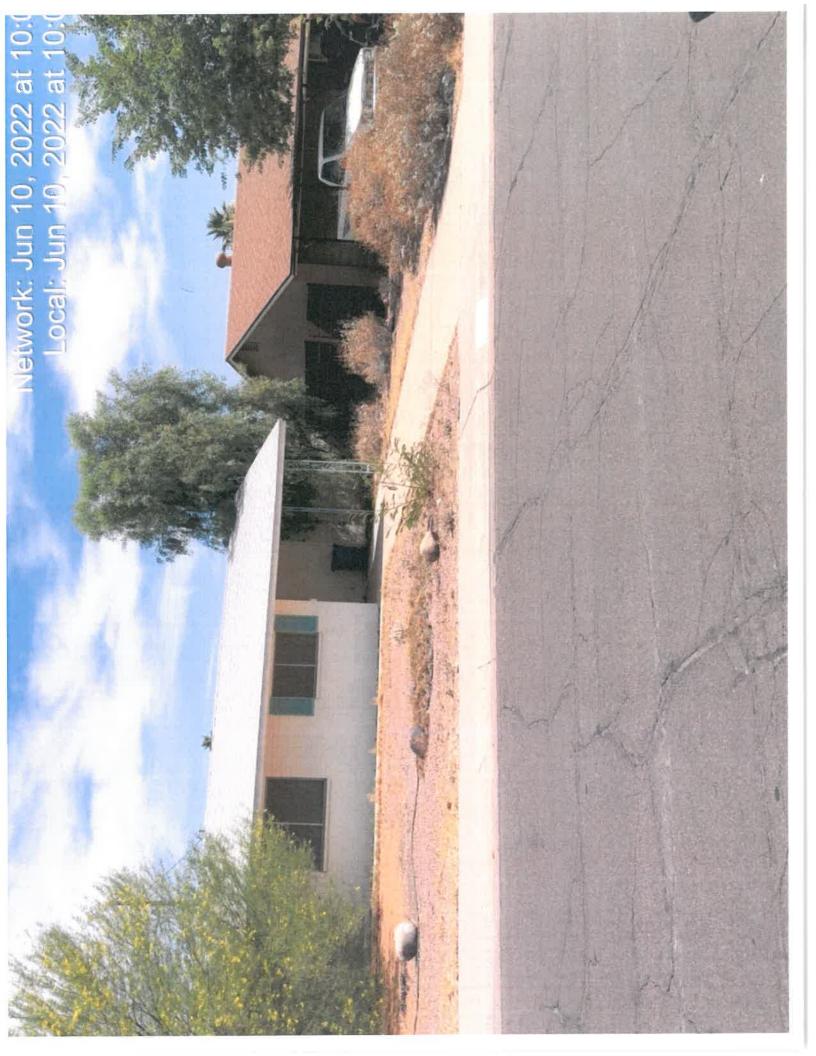
- Cut down weeds and unwanted grasses to ground level in the front yard
- Police presence for the duration of the visit

Total = \$688.00

Respectfully,

Jose Hernandez

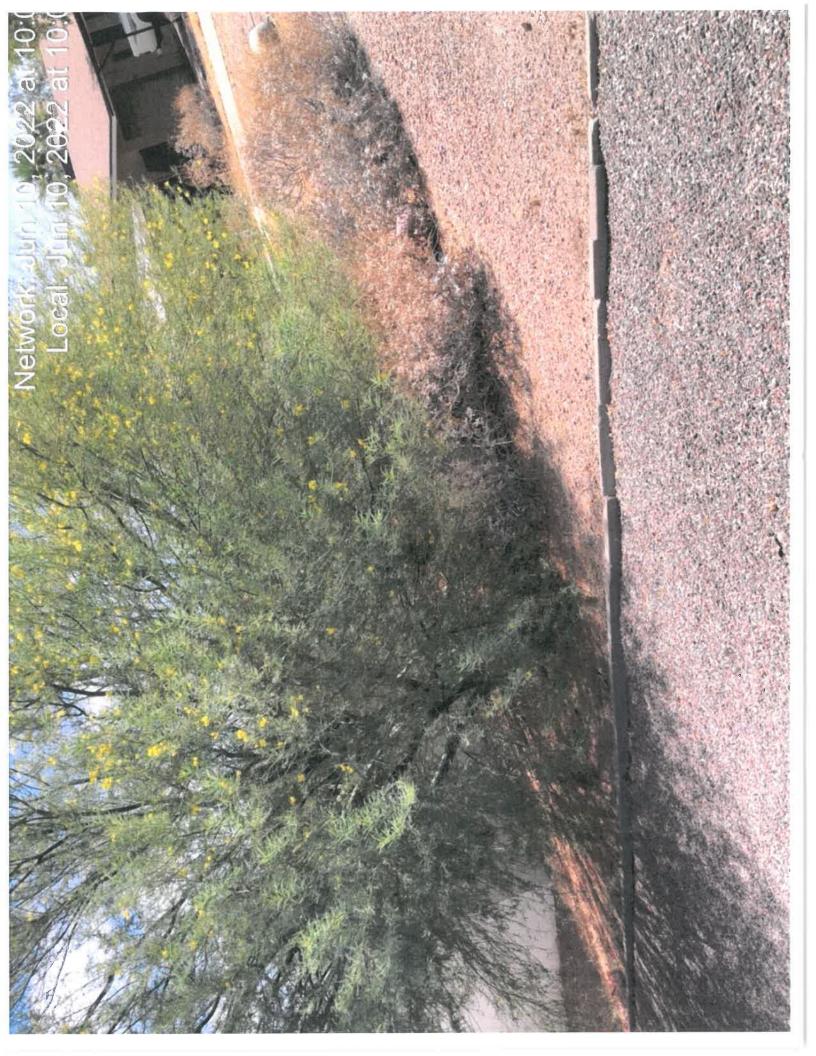














COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE CORRECTION NOTICE

02/02/2022

SANDSTEDT ROBERT M/VIRGINIA TR 1117 S ASH AVE TEMPE, AZ 85281

Case #: CE220745

Site Address: 1956 E PALMCROFT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/02/2022 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

SITE REINSP ON OR AFTER

CC 21-3.b.8 REMOVE GRASS AND WEEDS FROM FRONT AND SIDE YARDS. GRAVEL LANDSCAPE MUST BE MAINTAINED FREE OF GRASS AND WEEDS.

2/16/2022

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

Melissa Ensing Code Inspector Direct: 480-858-2085

Code Compliance: 480-350-4311 Email:Melissa Ensing@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 (I): 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

02/16/2022

SANDSTEDT ROBERT M/VIRGINIA TR 1117 S ASH AVE TEMPE, AZ 85281

Case #: CE220745

Site Address: 1956 E PALMCROFT DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 02/16/2022 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.8	Any landscaping, visible from public property, that is substantially dead, damaged, or characterize by uncontrolled growth, or presents a deteriorated appearance

SITE REINSP ON OR PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION AFTER

CC 21-3.b.8

REMOVE GRASS AND WEEDS FROM FRONT AND SIDE YARDS. GRAVEL LANDSCAPE MUST BE MAINTAINED FREE OF GRASS AND WEEDS.

03/09/2022

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

Melissa Ensing Code Inspector Direct: 480-858-2085

Code Compliance: 480-350-4311 Email:Melissa_Ensing@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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Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County State of Arizona

	Tem	pe
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	Defendant Name (First, Middle, Last) VIR6INIA SANDSTEDT																					
	Residence Address, City, State, Zip Code 1117 5. ASH AVE. TEMPE, AZ 85281-5629 Telephone: (cell phone)																					
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COMPLAINT



Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County State of Arizona

Tem	pe
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COMPLAINT

