

CITY OF TEMPE HEARING OFFICER

Meeting Date: 10/3/2023

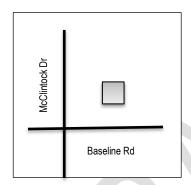
Agenda Item: 5

<u>ACTION</u>: Request approval to abate public nuisance items at the Jordan Residence located 1930 E. Minton Dr. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$5,211.00 for abatement request: Remove junk/debris and drain stagnant water from pool.

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 RESIDENCE. 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 CE226242: remove junk/debris from front, side and backyards and drain stagnant water from the pool.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Aaron Jordan
City of Tempe – Code Compliance
R1-6 Single Family Residential District
David Rich

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: Shawn Daffara, CPTED Coordinator Reviewed by: Drew Yocom, Code Administrator

COMMENTS:

Code Compliance is requesting approval to abate the Jordan Residence Property located 1930 E. Minton Dr, in the R1-6 Single Family Residential District. This case was initiated 10/17/22, 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 NAME	Jordan Property Abatemer	nt		57(ION – REQUIRED	EXISTING ZONING			
	PRO	JECT ADDRESS	1930 E MINTON DR TEM	PE, AZ	85282	<u>. </u>	SUITE(S)				
PR	DJEC	T DESCRIPTION	Abatement of CE226242 10/03/2023			·		PARCEL No(s)	133-3	6-453	
	В	USINESS NAME	ROPERTY OWNER INFOR	MATIO	N – REQUIRE	ED (EXCEP	T PRELIMINARY SITE PLAI	N REVIEW & SIGN T	YPE K)	
		CONTACT NAME				CITY	11.2.8.	STATE		710	
										ZIP	
		EMAIL				PHONE 1		PHONE 2			
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c	or atta	ach written stater	PROPERT ment authorizing the applicant t	to file the	R SIGNATURE application(s)				DATE		
		NY / FIRM NAME			APPLICANT	INFORMA	TION – REQUIRED				
CO			City of Tempe Code Enforce	cement		ADDRESS	21 E. 6th St. #208				
	С	ONTACT NAME	David Rich/ Code Inspecto	r		СПУ	Tempe	STATE	AZ	ZIP 8528	1
		EMAIL	david_rich@tempe.gov			PHONE 1	(480) 350-5011	PHONE 2			
l he	reby	attest that th	is application is accurate	and the	submitted o	locuments	are complete. I acknowledg	e that if the applica	ition is	deemed to b	e
inco	mpi	ete it will be r	eturned to me without rev		<i>be resubmit</i> t T SIGNATURE		y missing information.		DATE	0/ 1/	
		\$ 7 P P				1 Upe	NI CO		DATE	8/3//20	23
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DATE:

08/31/2023

TO:

Jack Scofield, Sr. Code Inspector

FROM:

David Rich, Code Inspector

SUBJECT:

CE226242, Jordan Property Abatement

LOCATION: 1930 E. MINTON DR. TEMPE, AZ 85282

LEGAL:

CONTINENTAL EAST 3

PARCEL:

133-36-453

OWNER:

AARON JORDAN

1930 E. MINTON DR TEMPE, AZ 85282

FINDINGS:

10/17/2022 The Code Compliance Division received a complaint for this property for deteriorated landscape, unregistered vehicle, junk, trash, and debris, lawn parking, and structures in the front and back yard.

10/18/2022 An inspection conducted by Code Inspector Cody Oas, found that the property was in violation for grass and weeds in a gravel landscape, items stored in the front, sides, and back yard of the property. There was a vehicle parked in the lawn and a trailer parked in the setback. A notice was mailed to the owner, Aaron Jordan.

11/01/2022 There had been no change to the property, besides the trailer being removed from being parked in the setback. A final notice was mailed to the owner, from Inspector Cody Oas.

11/17/2022 The case has been turned over to me, inspector Julie Scofield. Went to the property. There was a lot of items in the front and back yard. A van was parked in the yard. A final notice was mailed and emailed to the owner.

12/05/2022 Issued a citation to the property owner for the junk, trash, and debris. Citation # 1702583. Pictures were taken to show the condition of the property. A notice was mailed regarding the structures in the back yard.

12/06/2022 Received an anonymous complaint for junk, trash, debris, lawn parking, and inoperable vehicle.

12/07/2022 Received an anonymous complaint for junk, trash, and debris.

12/21/2022 Requested bids to have the property abated. Also mailed a final notice for the structures in the back yard and an unregistered vehicle now in the driveway.

01/04/2023 Received an anonymous complaint for inoperable/ unregistered vehicle.

01/06/2023 Issued Citation #1702584 for Structures in the Back Yard/ Front Yard.

01/23/2023 Received an anonymous complaint for junk, trash, and debris.

02/02/2023 Received an anonymous complaint for junk, trash, and debris and for inoperable/ unregistered vehicle.

02/07/2023 Issued second Citation #1702586 for the Accessory Building. 180 Open Abatement was approved by Hearing Officer.

03/08/2023 and 03/08/2023 Abatement was conducted to bring property into compliance.

04/26/2023 Received an anonymous complaint for junk, trash, and debris, and for structures built in the back yard.

06/01/2023 Abatement conducted to bring property into compliance. Owner interfered and prevented the abatement from being completed.

07/27/2023 Abatement conducted and property brought into compliance.

08/25/2023 Case reassigned to David Rich. Issued Citation #1790000 for junk, trash and debris, Trailer in the Setback and Habitual Offender. Notice was mailed for Deteriorated Pool with green stagnant water.

08/30/2023 Mailed Notice of Intent to Abate to the property owner.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violation at the property located at 1930 E. Minton Dr., due to property owner's failure to bring property into compliance with Tempe City Code 21-3. b.8., 21-3. b.3, 21-3. b.1, and 21-3.b.16. Mr. Jordan was issued multiple notices. Multiple citations were issued and some have gone to collections. There has been no indication that the property owner will bring the property into compliance. The property represents a health/safety issue 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. I also request that the abatement be approved for 180 days.

Respectfully submitted,

David Rich Code Inspector

ACTION TAKEN: Submit

NAME

DATE: 8/31/23



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 08/31/2023 CASE #: CE226242

JORDAN AARON 1930 E MINTON 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:

LOCATION: 1930 E MINTON DR TEMPE, AZ 85282

PARCEL: 13336453

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers 10/03/2023. 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

CC 21-3.b.16

Swimming pool that is deteriorated or presents a health hazard

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.1

PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CHAIRS, TIRES, REFRIGERATOR, TRASH, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.

CC 21-3.b.16

PLEASE RESTORE POOL WATER TO A CLEAN AND CLEAR STATE. ALL ALGEA, DIRT, AND DEBRIS MUST BE REMOVED FROM POOL.

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 \$5,211.00. 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: David Rich Phone Number: 480-350-5011 E-mail: David_Rich@tempe.gov



August 30, 2023

City of Tempe Attn: Julie Scofield Code Compliance Inspector

RE: Clean-Up at 1930 E. Minton 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 at 1930 E. Minton Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

- Remove junk, trash and debris from the front and backyard
- Police presence on-site for the duration of the service

Total = \$5,211.00

Respectfully,

Jose Hernandez



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE CORRECTION NOTICE

10/18/2022

JORDAN AARON 1930 E MINTON DR TEMPE, AZ 85282

Case #: CE226242

Site Address: 1930 E MINTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 10/18/2022 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
CC 21-3.b.4	To permit outside of any single-family or multifamily dwelling or accessory building any camper, vehicle or parts thereof in the front or side area of the building visible from the street that is not on an improved area intended for parking
ZDC 4-602.B.7	Recreational vehicles and unmounted truck campers, exceeding twenty-one (21) feet in length and all boats and trailers shall not be parked in the required front yard building setback or required street yard setback
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

PLEASE TAKE T	HE FOLLOWING CORRECTIVE ACTION	SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CHAIRS, TIRES, REFRIGERATOR, TRASH, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	11/1/2022
CC 21-3.b.4	PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES THE BLUE CAR IN FRONT YARD.	11/1/2022
ZDC 4-602.B.7	PLEASE EMPTY AND OR REMOVE/MOVE TRAILER IN DRIVEWAY. IN ORDER TO KEEP IT IN THE FRONT OF THE PROPERTY IT MUST BE BEYOND THE SETBACK OF 20 FEET.	11/1/2022
CC 21-3.b.8	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. THIS INCLUDES THE EAST SIDE OF DRIVEWAY.	11/1/2022

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

Cody Oas Code Inspector

Direct: 480-858-2142

Code Compliance: 480-350-4311 Email: Cody_Oas@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

11/01/2022

JORDAN AARON 1930 E MINTON DR TEMPE, AZ 85282

Case #: CE226242

Site Address: 1930 E MINTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 11/01/2022 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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CC 21-3.b.4	To permit outside of any single-family or multifamily dwelling or accessory building any camper, vehicle or parts thereof in the front or side area of the building visible from the street that is not on an improved area intended for parking
CC 21-3.b.8	Uncultivated weeds in gravel landscape, or a lawn higher than 12 inches

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION										
CC 21-3.b.1	PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT, SIDES, AND BACK YARD OF THE PROPERTY. THIS INCLUDES THE FURNITURE, CHAIRS, TIRES, REFRIGERATOR, TRASH, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	11/15/2022								
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Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

Cody Oas Code Inspector

Direct: 480-858-2142

Code Compliance: 480-350-4311 Email: Cody_Oas@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

11/17/2022

JORDAN AARON 1930 E MINTON DR TEMPE, AZ 85282

Case #: CE226242

Site Address: 1930 E MINTON DR, TEMPE, AZ 85282

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CC 21-3.b.4	PLEASE DO NOT PARK OR ALLOW ANYONE TO PARK IN THE LANDSCAPING AREA OF THE FRONT AND OR SIDE OF THE PROPERTY. ADDITIONAL PARKING MUST MEET REQUIREMENTS OF 21-3-B-4. THIS INCLUDES ANY VEHICLES OR TRAILERS PARKED IN FRONT YARD.	12/1/2022
CC 21-3.b.8	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. THIS INCLUDES THE EAST SIDE OF DRIVEWAY.	12/1/2022

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

Julie Scofield Code Inspector

Direct: 480-350-8951

Code Compliance: 480-350-4311 Email: julie scofield@tempe.gov CITE DEINICE

IF THE VIOLATION(S) ARE NOT CORRECTED ON OR BY 12/1/2022, CITATIONS MAY BE ISSUED.

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 CORRECTION NOTICE

12/05/2022

AARON JORDAN 1930 E. MINTON DR. TEMPE, AZ 85283

Case#: CE226242

Site Address: 1930 E. MINTON DR. TEMPE, AZ 85283

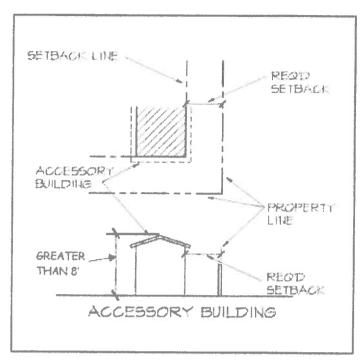
SITE REINSPECTION ON OR AFTER: 12/19/2022

This is a notice to inform you that this site was inspected on 12/05/2022 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:

Section 3-401 Accessory Buildings, Uses and Structures.

- A. **Applicability.** Accessory buildings, uses and structures shall be incidental to the principal use. They must occupy less floor area, cover less lot area, and have a use that is secondary to the primary structure(s) and use(s) on the property. Buildings, structures (e.g., fence, carport, deck, etc.), and uses may all function as "accessory," subject to the provisions below.
- B. Accessory Uses. Accessory buildings may be used for home occupations in reference to Section 3-412.
- C. Accessory Building. Buildings that exceed two hundred (200) square feet in area or eight (8) feet in height are accessory buildings (e.g., freestanding garages, large sheds, workshops, etc.). Such buildings are permitted on properties in single-family residential districts or with a single-family use, subject to the following:
 - Use. Accessory buildings used as a dwelling shall comply with the provisions identified forguest quarters, pursuant to Section 3-411, and for accessory dwellings, pursuant to Section 3-402.
 - 2. Setback.
 - a. Accessory buildings shall not be located in the required front yard and street sideyard building setbacks. Such buildings shall be setback at least three (3) feet from all side and rear property lines. An additional one (1) foot setback is required for every additional foot in height above nine (9) feet, up to fifteen (15) feet in height. Refer to Table 3-401(C)(1). This requirement may be reduced to the minimum setback standards required in the district, subject to approval of a Use Permit Standard, pursuant to Section 6-308;
 - b. Accessory buildings in the AG district shall comply with the setback standards required in the district;
 - c. When adjacent to a dedicated public alley, the side and rear *yard setbacks* for an *accessory building* shall be measured from the midpoint of the alley; and
 - d. Accessory buildings shall comply with required separation for applicable building codes.



3. Height.

- a. The maximum allowed building height shall be fifteen (15) feet. Additional height may be permitted up to the maximum height allowed in the district, subject to approval of a Use Permit, pursuant to Section 6-308; and
- b. In the AG district, accessory buildings may be erected to the maximum allowed height in the district.

	TABLE 3-401 C1.								
Applicable to all Single-Family Residential Zoning districts or use except AG									
Building Height	Setback (Sides / Rear)								
0' to 8'-0"	No setback required								
8'-1" to 9'0"	3' min. setback								
9'-1" to 10'0"	4' min. setback								
10'-1" to 11'0"	5' min. setback								
11'-1" to 12'0"	6' min. setback								
12'-1"—13'0"	7' min. setback								
13'-1" to 14'0"	8' min. setback								
14'-1" to 15'0"	9' min. setback								
15'-1" +	9' min. setback								

Figure 3-401 C2.
Accessory Building Height

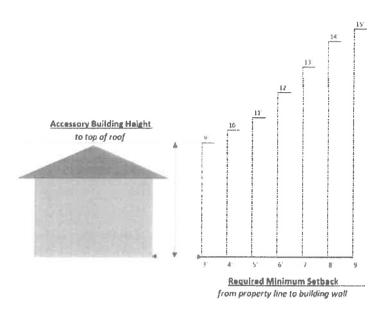
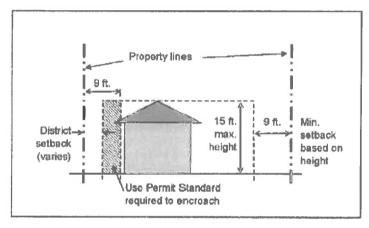
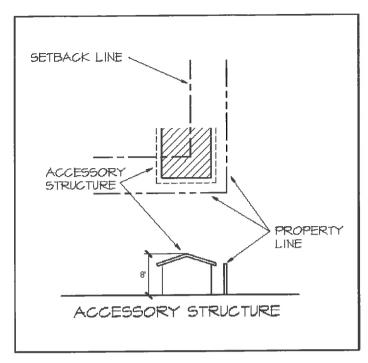


Figure 3-401 C3.
Accessory Building Envelope Example



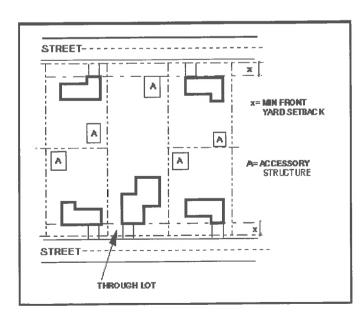
- 4. Area. *Lot coverage,* as defined in this Code, for *accessory buildings* shall be included in the overall maximum allowed in the district.
- D. Accessory Structure. Accessory structures (e.g., ramadas, small sheds) are structures that are a maximum of two hundred (200) square feet in area and equal to or less than eight (8) feet in height. A structure that exceeds this building area or height shall be considered an accessory building. Such structures are permitted in single-family residential districts or with a single-family use, subject to the following:

Figure 3-401 D1. Accessory Structure



- Accessory structures shall not be located in the required front yard buildingsetback. An accessory structure may
 be located in the required rear, side, and street side yardsetbacks provided that required separation for
 applicable building codes is provided.
- 2. On a *through lot*, an accessory *structure* shall not be located closer to the rear *property line* than the distance required for the front *yard buildingsetback*; and

Figure 3-401 D2. Through Lot



3. Lot coverage, as defined in this Code, for accessory structures shall be included in the overall maximum allowed in the district.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:

 PLEASE MOVE ALL ACCESSORY BUILDINGS AND OR STRUCTURES TO PROPER LOCATION FOLLOWING THE STANDARDS OF THE SIDE AND BACK YARD SETBACKS. THIS MAY REQUIRE LOWERING THE HEIGHT/SIZE OF THE STRUCTURES AS WELL. THIS INCLUDES THE CARPORT SHADE/STRUCTURES IN THE BACK YARD OF THE PROPERTY. THE OTHER OPTION IS TO REMOVE THE STRUCTURES FROM THE BACK YARD.

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, 2nd 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.

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

12/21/2022

AARON JORDAN 1930 E. MINTON DR. TEMPE, AZ 85283

Case#: CE226242

Site Address: 1930 E. MINTON DR. TEMPE, AZ 85283

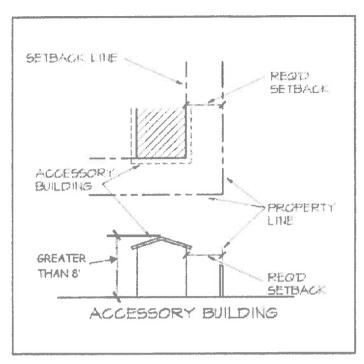
SITE REINSPECTION ON OR AFTER: 01/04/2023

This is a notice to inform you that this site was inspected on 12/21/2022 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.

VIOLATION SECTION:

Section 3-401 Accessory Buildings, Uses and Structures.

- A. **Applicability.** Accessory buildings, uses and structures shall be incidental to the principal use. They must occupy less floor area, cover less lot area, and have a use that is secondary to the primary structure(s) and use(s) on the property. Buildings, structures (e.g., fence, carport, deck, etc.), and uses may all function as "accessory," subject to the provisions below.
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 - b. Accessory buildings in the AG district shall comply with the setback standards required in the district;
 - c. When adjacent to a dedicated public alley, the side and rear *yard setbacks* for an *accessory building* shall be measured from the midpoint of the alley; and
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- b. In the AG district, accessory buildings may be erected to the maximum allowed height in the district.

	TABLE 3-401 C1.
Applicable to all Single-Far	nily Residential Zoning districts or use except AG
Building Height	Setback (Sides / Rear)
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10'-1" to 11'0"	5' min. setback
11'-1" to 12'0"	6' min. setback
12'-1"—13'0"	7' min. setback
13'-1" to 14'0"	8' min. setback
14'-1" to 15'0"	9' min. setback
15'-1" +	9' min. setback

Figure 3-401 C2.
Accessory Building Height

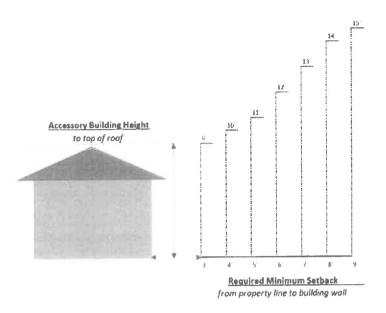
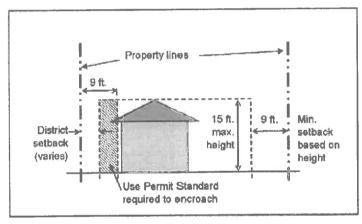
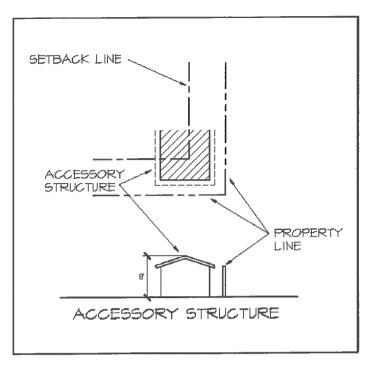


Figure 3-401 C3.
Accessory Building Envelope Example

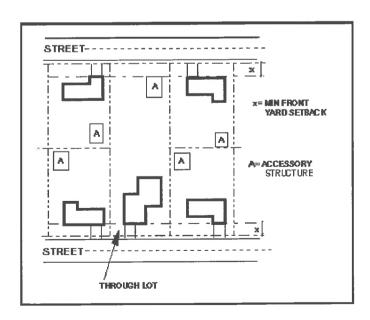


- 4. Area. Lot coverage, as defined in this Code, for accessory buildings shall be included in the overall maximum allowed in the district.
- D. Accessory Structure. Accessory structures (e.g., ramadas, small sheds) are structures that are a maximum of two hundred (200) square feet in area and equal to or less than eight (8) feet in height. A structure that exceeds this building area or height shall be considered an accessory building. Such structures are permitted in single-family residential districts or with a single-family use, subject to the following:



- 1. Accessory structures shall not be located in the required front *yard buildingsetback*. An accessory *structure* may be located in the required rear, side, and street side *yardsetbacks* provided that required separation for applicable building codes is provided.
- 2. On a *through lot*, an accessory *structure* shall not be located closer to the rear *property line* than the distance required for the front *yard buildingsetback*; and

Figure 3-401 D2. Through Lot



3. Lot coverage, as defined in this Code, for accessory structures shall be included in the overall maximum allowed in the district.

Violation of City of Tempe Code 21-3-B-3

Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area a. of any building:
- A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair b. is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a C. backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- Lawful commercial activities involving vehicles as allowed by the Zoning and Development Code; d.
- Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened e. by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:

- 1: PLEASE MOVE ALL ACCESSORY BUILDINGS AND OR STRUCTURES TO PROPER LOCATION FOLLOWING THE STANDARDS OF THE SIDE AND BACK YARD SETBACKS. THIS MAY REQUIRE LOWERING THE HEIGHT/SIZE OF THE STRUCTURES AS WELL. THIS INCLUDES THE CARPORT SHADE/STRUCTURES IN THE BACK YARD OF THE PROPERTY. THE OTHER OPTION IS TO REMOVE THE STRUCTURES FROM THE BACK YARD.
- 2. VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. OR REMOVE THE VEHICLE(S) FROM 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 (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.

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

08/25/2023

JORDAN AARON 1930 E MINTON DR TEMPE, AZ 85282

Case #: CE226242

Site Address: 1930 E MINTON DR, TEMPE, AZ 85282

This is a notice to inform you that this site was inspected on 08/25/2023 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.16	Swimming pool that is deteriorated or presents a health hazard	
		SITE REINSP ON OR
PLEASE TAKE T	HE FOLLOWING CORRECTIVE ACTION	AFTER
CC 21-3.b.16	PLEASE RESTORE POOL WATER TO A CLEAN AND CLEAR STATE. ALL ALGEA, DIRT, AND DEBRIS MUST BE REMOVED FROM POOL.	9/8/2023

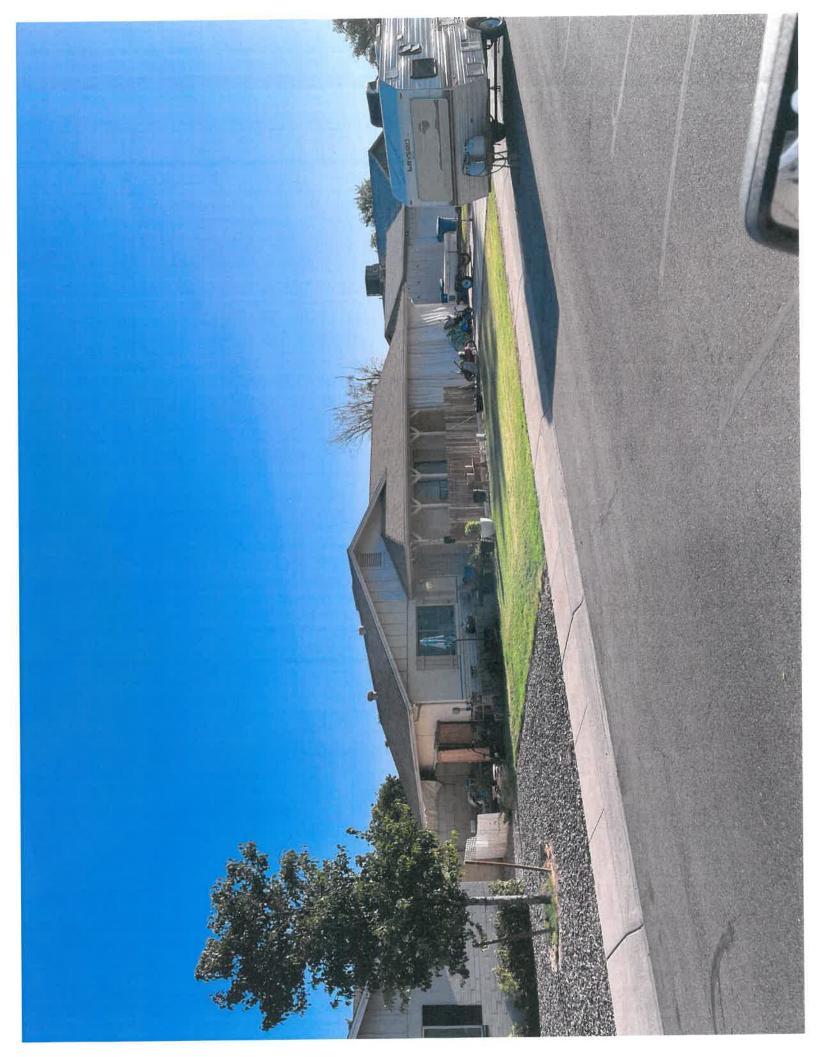
Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

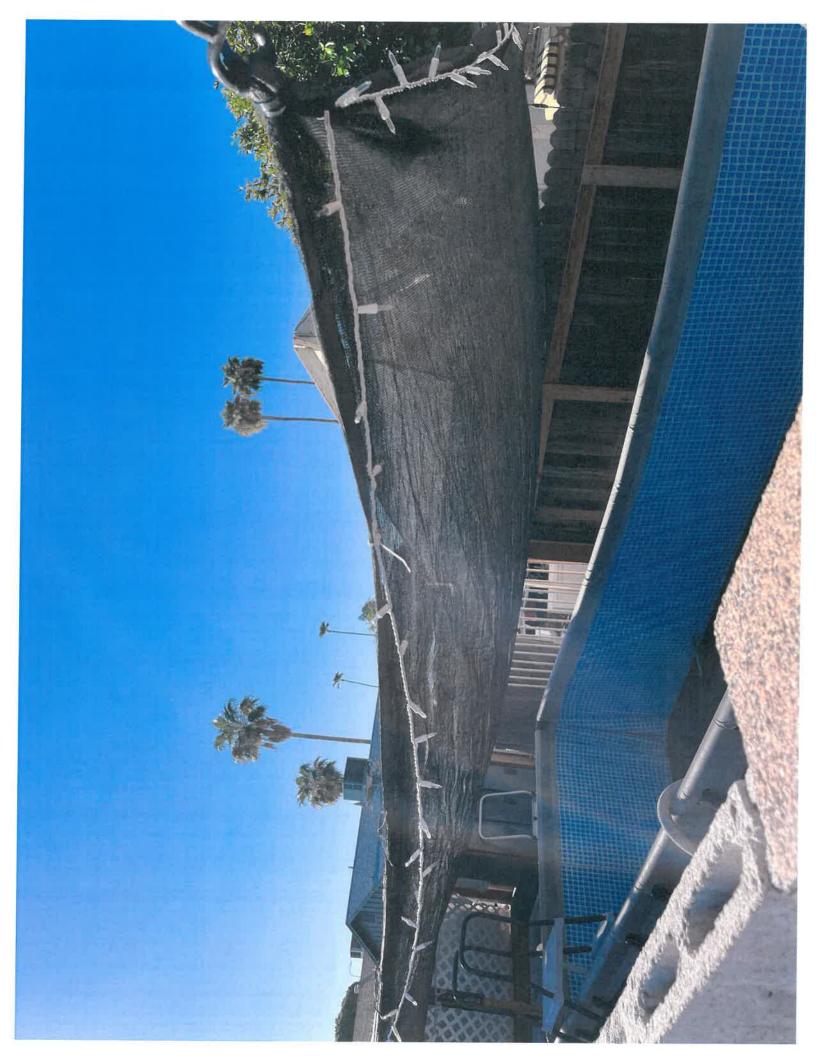
David Rich Code Inspector Direct: 480-350-5011

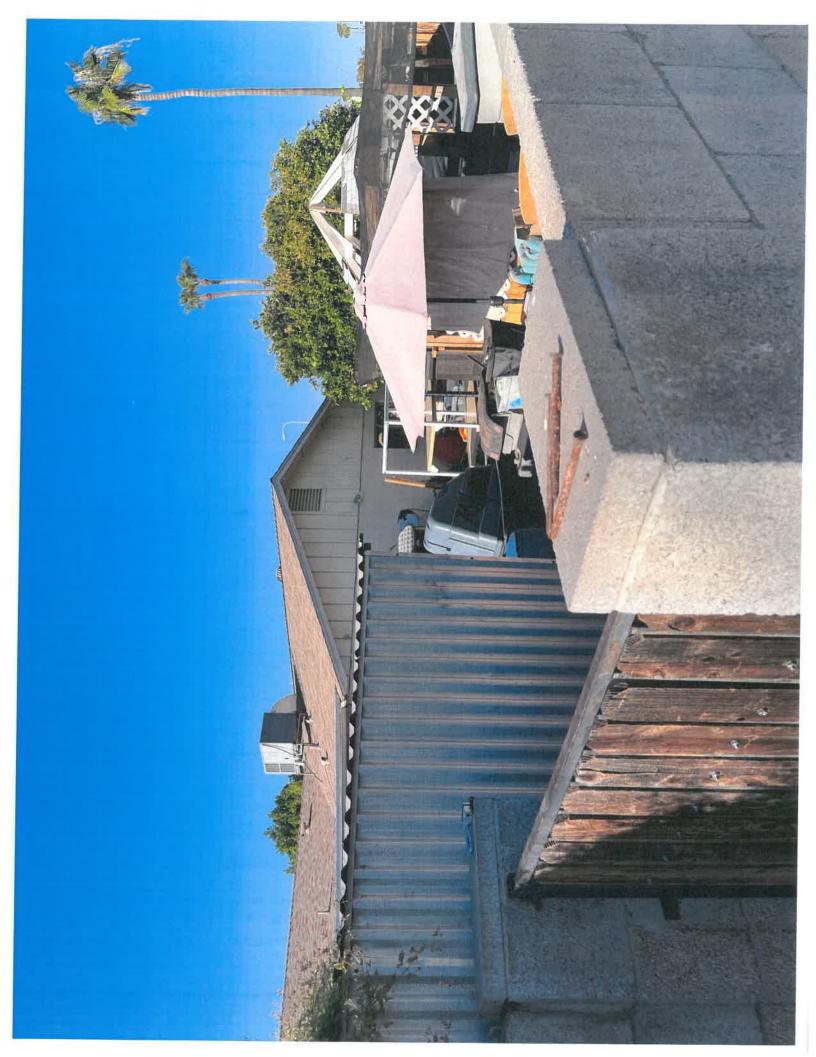
Code Compliance: 480-350-4311 Email:David Rich@tempe.gov

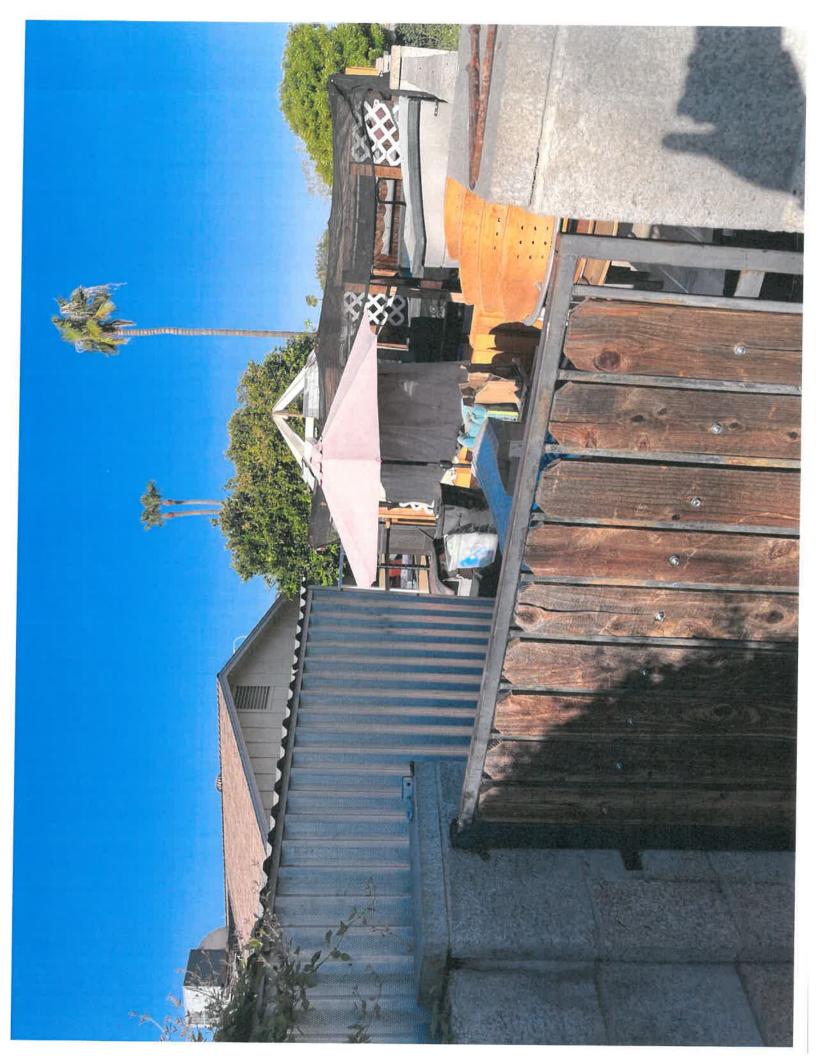
Please Note: In the event of more than one violation occurring at this property in a calendar year, the property owner may be assessed a reinspection fee of \$82.00 pursuant to City Code Section 21-51, subsection (b). Civil and Criminal Penalties

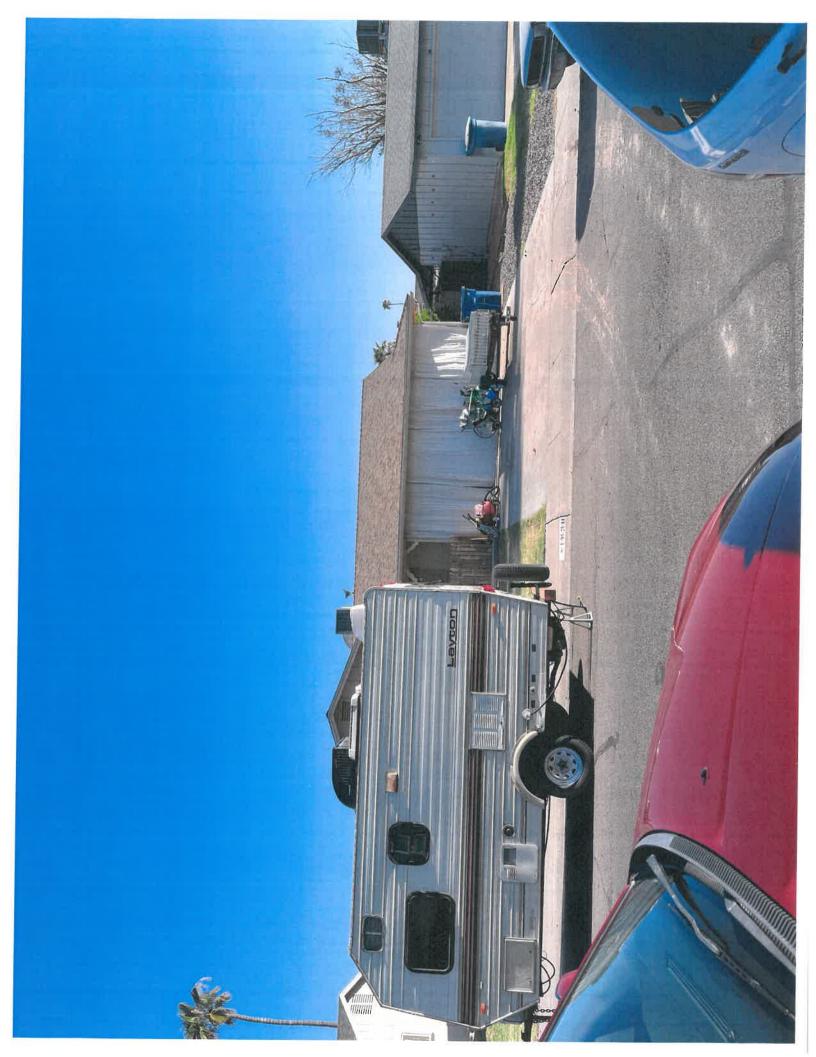
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City of Tempe Maricopa County State of Arizona



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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.



COMPLAINT

City of Tempe Maricopa County State of Arizona



Com	plaint Numbe	inn	Case	Number			Socia	Secu	urity Nu	mber			Militar	у	Serious Physica	네'''		t Fatality		ommercial	
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Interpreter Required?																					
Defendant Name (First, Middle, Last) AAILON JORDAN																					
Resi	dence Addres	s, City, Sta	ate, Zip	Code	930	6.1	1.1017	ל מ כל	D	4	TEM	D/-:	A2	85	282		;	Telephone:	(cell phone	e) 🗖	
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The Undersigned Certifies That: Month Day Year Time AM Approx. Posted R & P Speed Measurement Device Direction of Travel																					
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COMPLAINT



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City of Tempe Maricopa County, State of Arizona



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esult Cense	in a susp driving pr	ension of	your	driver	200		1-	70										
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If y	you were	charged	with	ı a civ	41						- 200 11 1101 11	STED IIV.DET						

ordinance violation and you fail to appear as directed in this complaint, a lefault judgement will be entered, and

a monetary penalty will be imposed.

COMPLAINT



1702584

City of Tempe Maricopa County State of Arizona



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Co	mplaint Numb	586	Cas	se Numbe	÷r		Social S	Security	Number			Military	I P	erious hysical			Fata		Cor	nmercial
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	/ehicle		City								Style		Licer	ise Plate	e 		State	Exp	iration	Date
Registered owner & address, City, State, Zip Code Vehicle Identification Number																				
-	The Undersigned Certifies That: Month Day Year Times Particular Partic																			
Or	02	Day O7	QC-	23 C	85	18 PM	Spe	ed	Approx.	Po	sted	R&P	5	Speed M Rada		ement Laser	Device Pace		ction	of Travel
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	If you was	t-	5	110	*2		10				Date Is	ssued if not	violation	n date						

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.

COMPLAINT



1702586

City of Tempe Maricopa County State of Arizona

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	erpreter Requ			Other La								1 1 7		107 46		12			
	Defenda	ant Nam ress, City, Sta	te (First, Mi		MAICO				OPD							Juvenile	9		
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	/ehicle			Year	Make		I.V	lodel		Style		License F	Plate		State	Expiration	n Date		
Registered owner & address, City, State, Zip Code Vehicle Identification Number																			
The Undersigned Certifies That:																			
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At	1930	E.MI	NON	Dr.							Ter	mpe	7282			Area	Dist.		
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Civil:	□w	ithout admitti	ng respons	sibility, I a	cknowledge	receipt	of this	complai	nt.	I certify th	at upon i	reasonable o	grounds I	believe	Victim Notified the defendant	***************************************	the act		
,	MALL	- / A			3	, .				described defendant	contrary	to law and	I have s	erved a	copy of this c	omplaint u	pon the		
·	/ "(HULC	1/ C	ENT.							D	. R1	CH				272	79		
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COMPLAINT

