
**CITY OF TEMPE
HEARING OFFICER**

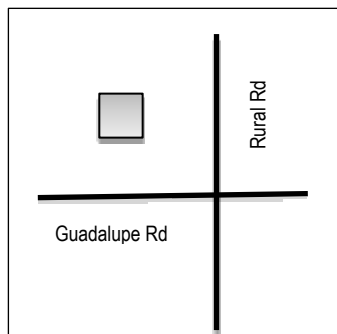
**Meeting Date: 11/7/2023
Agenda Item: 4**

ACTION: Request approval to abate public nuisance items at the Varela Property located 5836 S. College Ave. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$8,518.00 for abatement request: landscape cleanup, removal of inoperable/unregistered vehicles, removal of junk/debris from front, side, and rear yard.

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 VARELA 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 CE232704: landscape cleanup, removing of inoperable/unregistered vehicles and removing junk/debris from front, side, and rear yards.



Property Owner
Applicant
Zoning District:
Code Compliance
Inspector:

Varela Property Abatement
City of Tempe – Code Compliance
R1-6- Single Family Residential District
Julie Scofield

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 Varela Property located 5836 S. College Ave, in the R1-6 Single Family Residential District. This case was initiated 05/04/2023, 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 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	VARELA PROPERTY ABATEMENT					EXISTING ZONING SUITE(S)	R1-6	<input type="checkbox"/>		
PROJECT ADDRESS	5836 S. COLLEGE AVE. TEMPE, AZ 85283					PARCEL No(s)	301-81-147	<input type="checkbox"/>		
PROJECT DESCRIPTION	CE232704 HEARING NOVEMBER 7TH, 2023									
PROPERTY OWNER INFORMATION – REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW & SIGN TYPE K)										
BUSINESS NAME	VARELA LIVING TRUST			ADDRESS	5836 S. COLLEGE AVE.					
CONTACT NAME	MANUEL VARELA			CITY	TEMPE	STATE	AZ	ZIP	85283	
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	21 E. 6TH ST.					
CONTACT NAME	JULIE SCOFIELD			CITY	TEMPE	STATE	AZ	ZIP	85281	
EMAIL	JULIE_SCOFIELD@TEMPE.GOV			PHONE 1	480-350-8951		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 9/25/23		
[Signature]										
BUSINESS INFORMATION – REQUIRED FOR USE PERMITS & SIGN DPRs										
BUSINESS NAME				ADDRESS						
CONTACT NAME				CITY			STATE		ZIP	
TYPE OF BUSINESS				PHONE			EMAIL			
APPLICATION	QTY	SPECIFIC REQUEST				FOR CITY USE ONLY				
(Check all that apply) (See Planning & Zoning Fee Schedule for types) (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 #										
SPR TRACKING # (if 2 nd or 3 rd submittal, please use Planning Resubmittal Form)						TOTAL APPLICATION FEES				
							RECEIVED BY INTAKE STAFF (INITIALS)			

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

DATE: September 25th, 2023
FROM: Julie Scofield, Sr. Code Inspector
SUBJECT: CE232704, Varela Property Abatement

LOCATION: 5836 S. COLLEGE AVE. TEMPE, AZ 85283
LEGAL: UNIVERSITY ROYAL UNIT TWO
PARCEL: 301-81-147
OWNER: VARELA LIVING TRUST C/O MANUEL VARELA
5836 S. COLLEGE AVE.
TEMPE, AZ 85283

FINDINGS:

05/04/2023 The Code Compliance Division received complaints for inoperable vehicles, junk, trash, debris, and a person living in a car.

05/09/2023 Code Inspector Alima Dia inspected the property. She found items stored in the front and sides of the property, grass/weeds growing throughout a gravel landscape, and unregistered vehicles. A notice was mailed to the property owner, Varela Living Trust c/o Manuel Varela.

05/30/2023 Ms. Dia reinspected the property and found the property to still be in violation of junk, trash, debris, and unregistered vehicles. A final notice was mailed.

06/15/2023 Inspector Dia received a voicemail from the owner, Mr. Varela. He asked for an extension to remedy the violations. An extension was granted until July 5th, 2023.

07/05/2023 I, Code inspector Julie Scofield took over the case and inspected the property. there were multiple unregistered vehicles in the driveway, items stored in the front and sides of the property, grass and weeds in the gravel portions of the landscape, and a sidewalk obstruction with a vehicle. Another final notice was mailed to the property owner.

08/02/2023 Reinspected the property. A citation (#1702597) was issued for the unregistered vehicles and the items stored in the front and sides of the property. Pictures were taken to show the condition of the property.

08/30/2023 Returned to the property. Issued second citation (#1702598) for the junk, trash, debris, unregistered vehicles, and grass and weeds in the gravel. Pictures were taken to show the condition of the property. The owner has- since last inspection, constructed an accessory structure in the driveway. He is being mailed a notice for the structure as well as junk, trash, debris in the back yard in which is visible.

09/25/2023 Turning in the paperwork for the abatement hearing to be held November 7th, 2023.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations located at 5836 S. College Ave. due to property owner's failure to bring the property into compliance with Tempe City Code 21-3. B.8, 21-3. B.1, and 21-3. B.3. The owner has been given ample time to come into compliance and maintain the property. 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 and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Julie Scofield
Code Inspector II

ACTION TAKEN: submitted
NAME Julie Scofield
DATE: 9/25/23



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 09/25/2023
CASE #: CE232704

**VARELA LIVING TRUST
C/O VARELA MANUEL
5836 S. COLLEGE AVE.
TEMPE, AZ 85283**

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

LOCATION: 5836 S COLLEGE AVE. TEMPE, AZ 85283
PARCEL: 301-81-147

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers **11/07/2023**. 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.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.3** An inoperable vehicle or parts thereof outside of or under a roof area not enclosed

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 REMOVE ANY ITEMS STORED FROM THE FRONT, SIDES, AND OR BACK YARD OF THE PROPERTY.**
- 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.**
- CC 21-3.b.3 REGISTER AND DISPLAY CURRENT PLATES/TAGS ON ANY UNREGISTERED VEHICLES IN THE FRONT 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 \$8518.00. 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: Julie Scofield
Phone Number: 480-350-8951
E-mail: julie_scofield@tempe.gov**



Artistic Land Management, Inc.

September 7, 2023

City of Tempe
Attn: Julie Scofield
Code Compliance Inspector

RE: Clean-Up at 5836 S. College Ave.

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 5836 S. College Ave, 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, side, and backyard
- Landscape clean-up in the front yard
- Apply post-emergent chemical where needed in gravel areas
- Dispose of debris off-site
- Police presence on-site for duration of the service

Total = \$8,310.00

Respectfully,

Jose Hernandez

Customer Quotation

Date	Quote #
31-Aug-2023	73

Apache Sands Towing

7602 E Main St
 Mesa, Arizona 85207
 Phone: (480) 986-5556
 Fax: (480) 373-8766

Quoted For:

Julie Scofield
 City of Tempe (Nuisance Abatement Services)

Arizona

Summary

Location: 5836 S College Ave Tempe, AZ
Destination: Tempe Impound
Reason: Tow
Zone:
Vehicle: 1970 Ford F250 (Gray)
Owner:
Phone:
VIN:
Plate/Tag: 4EN195
Mileage:

Service	Quantity	Rate	Amount
_4 - LD - T6 -Towing	1.00	104.20	104.20
		Sub Total	104.20
		QUOTATION TOTAL	104.20

The above quoted amounts are valid for 60 days from the date of this quotation.

 Signature

 Date

Customer Quotation

Date	Quote #
31-Aug-2023	72

Apache Sands Towing

7602 E Main St
 Mesa, Arizona 85207
 Phone: (480) 986-5556
 Fax: (480) 373-8766

Quoted For:

Julie Scofield
 City of Tempe (Nuisance Abatement Services)

 Arizona

Summary

Location: 5836 S College Ave Tempe, AZ
Destination: Tempe Impound
Reason: Tow
Zone: Tempe

Vehicle: 2007 Saturn Vue (Red)
Owner:
Phone:
VIN: 5GZCZ53437S866853
Plate/Tag: G7A8RC
Mileage:

Service	Quantity	Rate	Amount
_4 - LD - T6 -Towing	1.00	104.20	104.20
		Sub Total	104.20
		QUOTATION TOTAL	104.20

The above quoted amounts are valid for 60 days from the date of this quotation.

 Signature

 Date

Arizona Traffic Ticket and Complaint

Paid

City of Tempe
Maricopa County,
State of Arizona



Complaint Number 1702597		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 CE232704	
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language													Juvenile
Defendant Name (First, Middle, Last) Varela Living trust / Manuel Varela													
Residence Address, City, State, Zip Code 5836 S. college ave. Tempe, AZ 85283										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 08	Day 02	Year 23	Time 09:15	<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 5836 S College ave						City Tempe		State 85283		Area		Dist.

The Defendant Committed the Following:

A	Section: TCC 21-3A	ARS Violation: 21-3-b-1 Junk, 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
MVD					
B	Section: TCC 21-3A	ARS Violation: 21-3-b-3 unregistered vehicles	<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
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
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
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
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: 8/14/2023	Time: Between 9AM & 4PM	
			<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date: _____	Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
	Court: <input type="checkbox"/>		Date: _____		Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
Court Address, City, State, Zip Code						

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 <i>mailed / cert</i>	Complainant: William Scofield	PSN: 8022

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 _____	1st citation A = \$200.00 B = \$200.00	Total = \$400.00
Date issued if not violation 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



1702597

COMPLAINT

Arizona Traffic Ticket and Complaint

City of Tempe
Maricopa County,
State of Arizona



Complaint Number 1702598		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 CE232704			
Interpreter Required? <input type="checkbox"/> Spanish <input type="checkbox"/> Other Language															
Defendant		Name (First, Middle, Last) Varela Living trust / Manuel Varela										Juvenile			
Residence Address, City, State, Zip Code 5836 S college ave Tempe AZ 85283												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	Day	Year	Time	<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	Area												Dist.	
		5836 S college ave												85283	
The Defendant Committed the Following:															
A	Section: TCC 21-3A			ARS CC	Violation: 21-3-B-1 Junk, trash, debris			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
B	Section: TCC 21-3A			ARS CC	Violation: 21-3-B-3 UNregistered vehicles			<input checked="" type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
C	Section: TCC 21-3A			ARS CC	Violation: 21-3-B-8 Deteriorated Landscape			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
D	Section:			ARS CC	Violation:			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
MVD															
E	Section:			ARS CC	Violation:			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal	<input type="checkbox"/> Criminal Traffic	<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic	<input type="checkbox"/> Petty Offense
	Docket Number		Disp. Code:		Date of Disposition:		Sanction:								
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: 09/13/23	Time: Between 9AM & 4PM					
					<input type="checkbox"/> Criminal Court	Suite 200, 2nd Floor			Date:	Time:		<input type="checkbox"/> AM <input type="checkbox"/> PM			
		<input type="checkbox"/> Court:	Date:	Time:	<input type="checkbox"/> AM <input type="checkbox"/> PM	Court No.									
Court Address, City, State, Zip Code															
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.	<input checked="" type="checkbox"/> x mailed/cert	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>	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.										
			Stullie Stedfeld	8022											
			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 _____	2nd citation	A = \$300.00	B = \$300.00	1st citation	C = \$200.00	Total	\$800.00						
Date issued if not violation 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



1702598

COMPLAINT



08/30/2023 10:34

08/30/2023 10:34



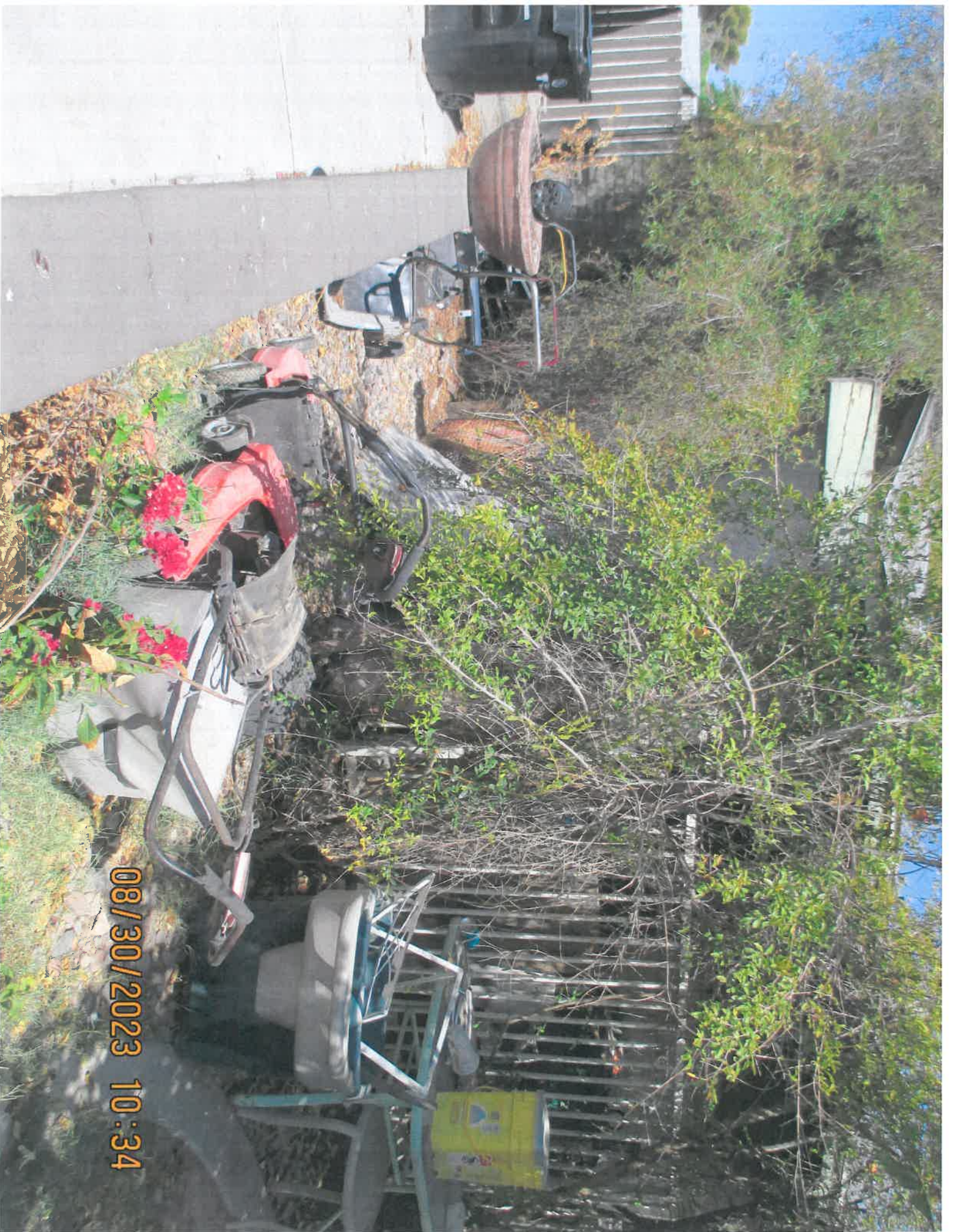
08/30/2023 10:33

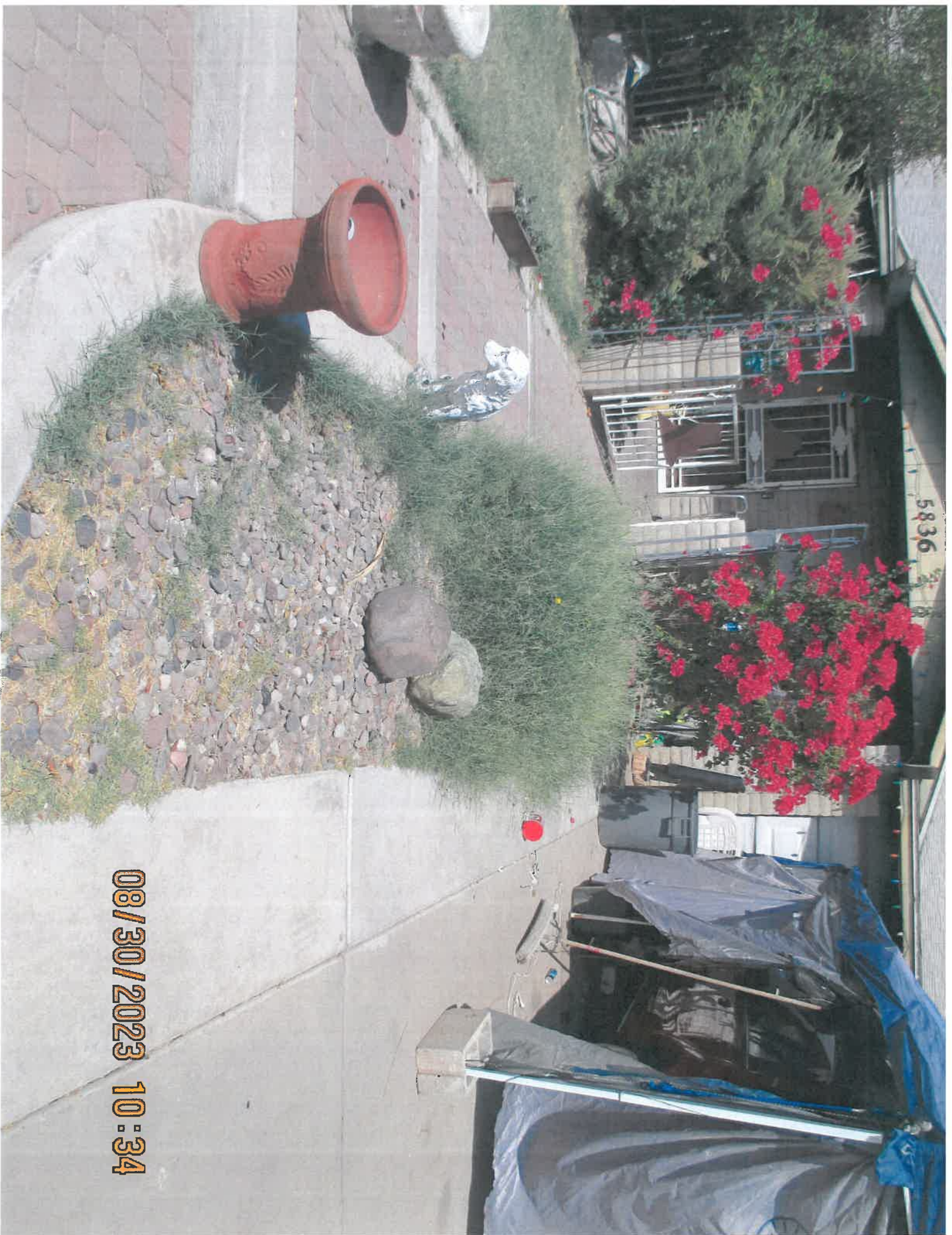


08/30/2023 10:33



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08/30/2023 10:34



08/30/2023 10:31





08/30/2023 10:33



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

05/09/2023

VARELA LIVING TRUST IN CARE OF VARELA MANUEL
5836 S COLLEGE
TEMPE, AZ 85283

Case #: CE232704
Site Address: 5836 S COLLEGE AVE, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 05/09/2023 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.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.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.3	An inoperable vehicle or parts thereof outside of or under a roof area not enclosed

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove the ladders, household items and or miscellaneous items from the front yard and or sides of the property.	5/23/2023
CC 21-3.b.8	Please remove the grass and or weeds in the landscaping areas. This includes the front, edges and sides of the property. Wildflowers are not considered a violation. All landscape must maintain free of any uncontrolled growth.	5/23/2023
CC 21-3.b.3	Any vehicles parked in the driveway must be operable and have current plates and or tags. Remove all inoperable vehicles from the driveway and or sides of the property.	5/23/2023

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

Alima Dia
Code Inspector

Direct: 480-350-8075
Code Compliance: 480-350-4311
Email:Alima_Dia@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

05/30/2023

VARELA LIVING TRUST IN CARE OF VARELA MANUEL
5836 S COLLEGE
TEMPE, AZ 85283

Case #: CE232704
Site Address: 5836 S COLLEGE AVE, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 05/30/2023 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.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.3	An inoperable vehicle or parts thereof outside of or under a roof area not enclosed

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all the ladders, and any household items or any miscellaneous items from the front yard and or sides of the property. This includes the pickup bed of all the vehicle's and or trucks parked in the front and or sides of the property.	6/13/2023
CC 21-3.b.3	Any vehicles parked in the driveway must be operable and have current tags and or plates. Remove all inoperable vehicles from the driveway and or sides of the property.	6/13/2023

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

Alima Dia
Code Inspector

Direct: 480-350-8075
Code Compliance: 480-350-4311
Email:Alima_Dia@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

07/05/2023

VARELA MANUEL
5836 S COLLEGE
TEMPE, AZ 85283

Case #: CE232704
Site Address: 5836 S COLLEGE AVE, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 07/05/2023 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.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.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.3	An inoperable vehicle or parts thereof outside of or under a roof area not enclosed
CC 21-3.b.7	Object, building, tree, bush or vehicle that interferes with or obstructs a sidewalk or street
ZDC 3-102	Non-permitted use in residential district

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT AND OR SIDES OF THE PROPERTY. THIS INCLUDES THE TRASH, ANY ITEMS NOT INTENDED FOR OUTDOOR USE, ITEMS STORED IN THE BACK OF TRUCK BEDS, AND ANY OTHER MISCELLANEOUS ITEMS.	07/24/2023
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. REMOVE AND PROPERLY DISCARD ALL FALLEN FRUIT.	7/19/2023
CC 21-3.b.3	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. THIS INCLUDES ALL VEHICLES IN THE FRONT/SIDE OF THE PROPERTY THAT ARE NOT PROPERLY REGISTERED.	07/24/2023
CC 21-3.b.7	PLEASE ALLOW FREE PASSAGE OF THE SIDEWALK AND OR STREET. THIS INCLUDES MAKING SURE THAT NO VEHICLES ARE PARKED OR OBSTRUCTING THE SIDEWALK.	07/24/2023

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

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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IF THE VIOLATIONS ARE NOT CORRECTED ON OR BY 07/24/2023, CITATIONS MAY BE ISSUED.



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

08/30/2023

VARELA LIVING TRUST
C/O VARELA MANUEL
5836 S COLLEGE
TEMPE, AZ 85283

Case #: CE232704
Site Address: 5836 S COLLEGE AVE, TEMPE, AZ 85283

This is a notice to inform you that this site was inspected on 08/30/2023 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.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
ZDC 3-102	Non-permitted use in residential district
ZDC 3-401.D	Non-permitted accessory structure

PLEASE TAKE THE 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 TRASH, ANY ITEMS NOT INTENDED FOR OUTDOOR USE, ITEMS STORED IN THE BACK OF TRUCK BEDS, AUTO PARTS, HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.	9/13/2023
ZDC 3-102	PLEASE DO NOT ALLOW ANYONE TO RESIDE IN ANY OF THE VEHICLES THAT ARE PARKED IN THE DRIVEWAY. CEASE IMMEDIATELY	9/13/2023
ZDC 3-401.D	PLEASE REMOVE THE ACCESSORY STRUCTURE FROM THE FRONT YARD SETBACK. (THE CARPORT STRUCTURE IN THE DRIVEWAY)	9/13/2023

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

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