

**CITY OF TEMPE
BOARD OF ADJUSTMENT**

**Meeting Date: 11/15/2017
Agenda Item: 2**

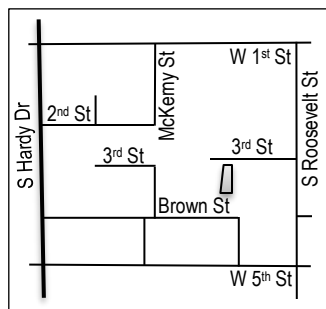
ACTION: Request an appeal of the September 19, 2017 Hearing Officer's decision to approve the request to abate public nuisance items at the GAY PROPERTY (PL170321 / CE170321) located at 625 West 3rd Street. The appellant is William Gay.

FISCAL IMPACT: There is no fiscal impact on City funds.

RECOMMENDATION: None

BACKGROUND INFORMATION: The GAY PROPERTY (PL170321 / CE170321) is located on Lot 16 of the Roosevelt Addition subdivision situated west of South Roosevelt Street between West 1st Street and West 5th Street in the R1-6, Single-Family Residential District. The appellant, William Gay, is appealing the Hearing Officer decision to approve a 180 day open abatement for nuisance items consisting of trash, litter and debris. The request includes the following:

PL170321 Appeal decision to approve an Abatement (CE170321)



Property Owner	William & Lyla Gay
Applicant of Entitlement	City of Tempe
Appellant	William Gay
Code Compliance Inspector	Andres Lara-Reyes
Zoning District	R1-6
Gross/Net site area	10,202 s.f.

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lee Jimenez, Senior Planner (480-350-8486)

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Reviewed by: Steve Abrahamson, Principal Planner

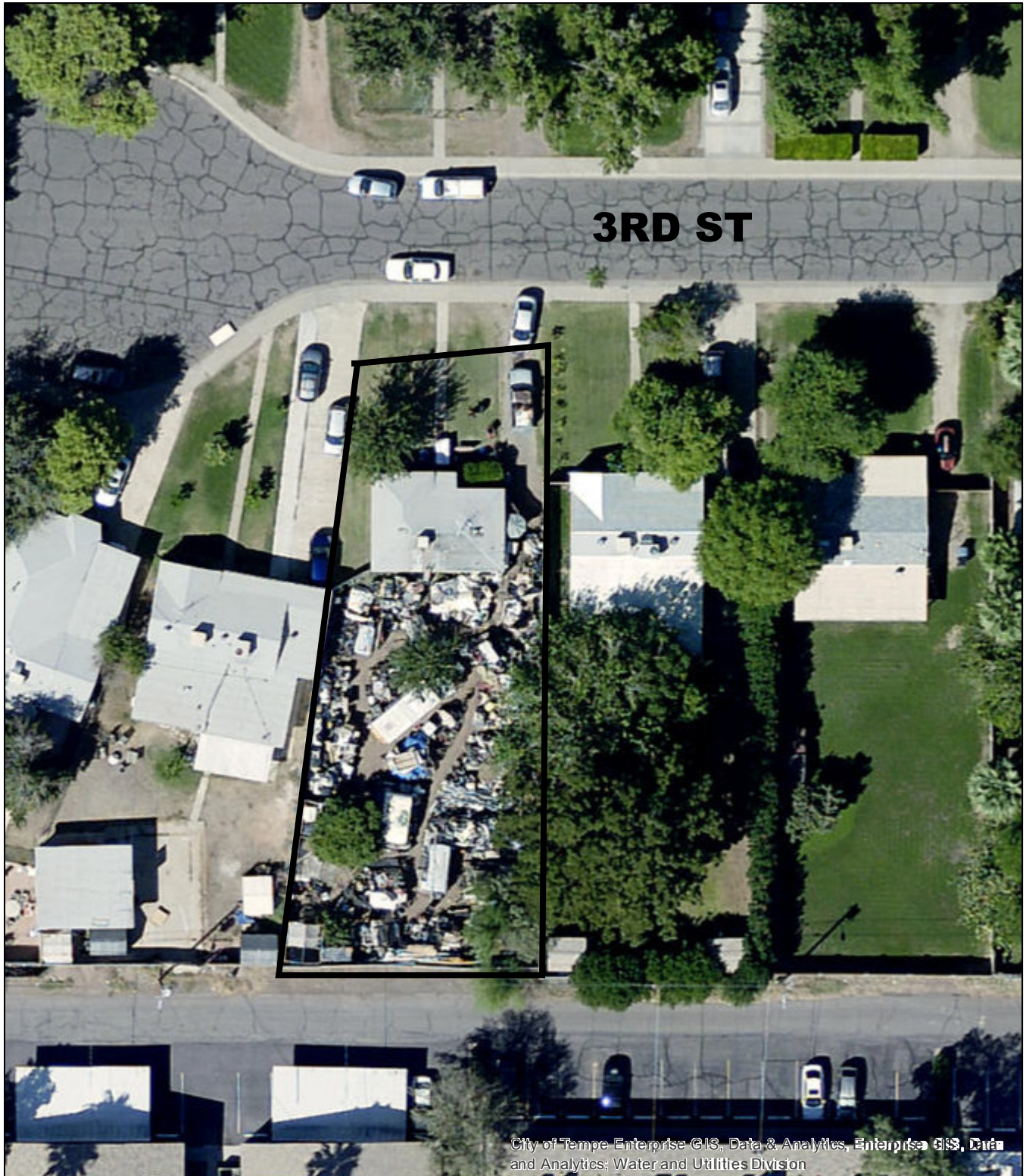
Prepared by: Lee Jimenez, Senior Planner



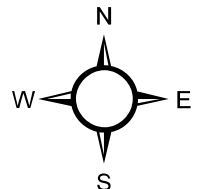
DEVELOPMENT PROJECT FILE
for
GAY PROPERTY
(PL170321 / CE170321)

ATTACHMENTS:

1. Location Map
2. Aerial
- 3-4. Letter of Appeal with attachments, dated October 3, 2017
- 5-9. Draft minutes of the September 19, 2017 Hearing Officer Hearing
- 10-11. Staff report from the September 19, 2017 Hearing Officer Hearing
- 12-31. Original Development Project File



Aerial Map



3 OCTOBER 2017

WILLIAM GAY
625 W 3RD ST
TEMPE AZ 85281

wkennyg58@gmail.com
480 781-7768 mbl

STEVE ABRAHAMSON
Principal Planner
City of Tempe
Development Services Dept.

SUBJECT; Filing Formal Appeal to BOARD OF ADJUSTMENT
GAY Property Abatement Lot 16 Roosevelt Addition
CASE # CE 170321

This letter is my formal APPEAL of the HEARING OFFICERS decision
on SEPTEMBER 19 2017 to ABATE my property case #170321

I am requesting dismissal of ABATEMENT and asking for additional time
to bring said property up to compliance. Due to financial hardship from
a recent BANKRUPTCY filed by my former wife of 20 years I almost lost said
property in addition to work being slow and declining health issues. And last
but not least Mr Lava Reyes determination of what I can or can't have in
my backyard. Also I believe I have the right to know who my accuser is.
especially since no one can see into my backyard, unless they stand on top of
there truck. The yard is not visible from the street or alley.

I am a Tempe native born at Tempe Community Hospital, my family has been
here for five generations. I love this city and endeavor to keep it that way.

I would appreciate a just and merciful decision regarding this APPEAL because of
issues mentioned above.

Respectfully Yours

A handwritten signature in black ink, appearing to read "William K Gay". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

WILLIAM K GAY

Tempe resident of over 40 years

MINUTES HEARING OFFICER SEPTEMBER 19, 2017

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Council Chambers, 31 East Fifth Street, Tempe, Arizona.

STUDY SESSION 4:30 PM

Present:

David Williams, Hearing Officer
Steve Abrahamson, Principal Planner
Lee Jimenez, Senior Planner
Diane McGuire, Administrative Assistant II

There were 8 interested citizens present at the study session.

- Staff and the Hearing Officer discussed overview and updates to the scheduled cases for this hearing.

REGULAR SESSION 5:00 PM

Present:

David Williams, Hearing Officer
Steve Abrahamson, Principal Planner
Lee Jimenez, Senior Planner
Diane McGuire, Administrative Assistant II

There were 8 interested citizens present at the regular session.

Meeting convened at 5:00 PM and was called to order by Mr. Williams. He stated that anyone wishing to appeal a decision made by the Hearing Officer would need to file a written appeal to that decision within fourteen (14) calendar days, by October 3, 2017 at 3:00 PM, to the Community Development Department.

1. The following was noted:

- Agenda Item No. 1

September 5, 2017 Hearing Officer Minutes

David Williams, Hearing Officer, stated that the September 5, 2017 Hearing Officer Minutes had been reviewed and were approved.

2. Request approval to abate public nuisance items at the **GAY PROPERTY (CE170321)** located at 625 West 3rd Street. The applicant is the City of Tempe.

Andres Lara-Reyes, Code Inspector, gave an overview of this request. He noted that the citation(s) were for trash, litter and debris on this property. The property has been in violation since January 13, 2017. Non-compliant issues include discarded appliances, discarded furniture, metals, construction materials, roof tile shingles, tarps, vehicle parts and many other items. The property owner(s) have been non-responsive to bringing the property into compliance. Staff requests approval of a 180 day open abatement period.

Mr. Williams asked whether the property owner had responded to the citation(s) from Code Compliance. Mr. Lara-Reyes stated that although he has spoken to the property owner(s), they have not taken corrective actions to bring the property into compliance.

Mr. Williams questioned how far back do these non-compliant issues date? Mr. Lara-Reyes responded that the current issue(s) date back to January 2017.

Mr. Williams asked if there had been any corrective action by the property owner in the last few days. Mr. Lara-Reyes stated there had not been any progress.

Mr. William Gay was present to speak on this case. He stated that he had been in contact with the Code Compliance Department, and that he did not know what is he is allowed to keep in his own backyard and found this to be confusing.

Mr. Gay had a copy of the Staff Summary Report and backup documentation, which contained copies of all citation notices detailing the non-compliance issues, as well as current photographs of the property. He cited personal reasons for its current condition, noting that he was under financial strain due to the fines and court violation charges.

Mr. Gay indicated that his neighbors on both sides of his properties had no problem with its current condition.

Mr. Mike Myers spoke in support of Mr. Gay. He stated that he owned properties in the near vicinity, and had no problem with the current condition of Mr. Gay's property.

Mr. Williams stated that this was a situation where the property owner continued to be non-compliant and had excessive debris and trash on the property constituting a safety and health hazard. He noted that he had done a drive by inspection and had reviewed the staff summary report and documentation presented by staff

Mr. Williams explained that property owner(s) are required to be in compliance with the established City code(s). It is their responsibilities to resolve violations of that code and maintain their properties in accordance with the rules and regulations.

Mr. Williams explained that there is a significant difference between industrial properties and residential properties and related maintenance requirements.

Mr. Williams thanked Mr. Gay and Mr. Myers for taking the time to attend tonight's public hearing.

Mr. Williams noted that Mr. Gay has until October 3rd to bring the property into compliance with the City Codes. After that date, the abatement process will be activated by Code Compliance.

DECISION:

Mr. Williams approved the abatement request for the Gay Property (CE170321) located at 625 West 3rd Street for an open period of 180 days.

-
3. Request approval for a use permit to allow a second story addition for the **WIESE RESIDENCE (PL170270)** located at 1603 East Hudson Drive. The applicant is Dave Maza of Remodel Tempe LLC.

Lee Jimenez, Senior Planner, gave the following overview of this case:

- Mr. Jimenez presented an aerial depiction of this property as well as the location map showing its proximity in relation to surrounding neighborhood properties.
- The Wiese Residence is located on Lot 41 of the Hudson Manor 1 Lots 11-20 Subdivision situated on the SEC of East Hudson Drive and South Elm Street within the R1-6, Single Family Residential District.
- The applicant, Dave Maza, is requesting a use permit to allow a single story, single family residence to add a second story addition.
- The second floor addition will add approximately 1,169 s.f. of livable space.
- The scope of work complies with all applicable development standards required in the R1-6, Single Family Residential District.
- As a historical note, the Hearing Officer approved a use permit to allow a second story addition on February 17, 2009; however, the entitlement expired a year later. This proposal is very similar to what was previously approved.
- To date, staff has received nine (9) emails, two (2) letters, one (1) phone call, and eight (8) petition signatures in support of this request. No opposition has been received by staff.
- Based on the information provided by the applicant and the public input received, staff supports this request and believes that the application meets all of the approval criteria for this use permit request.

Dave Maza of Remodel Tempe LLC was present to represent this case. He acknowledged receipt of the Staff Summary Report and his understanding of the assigned Conditions of Approval. The property owners (Michael and Leslyn Wiese) were present in the audience, but did not speak.

Mr. Williams asked Mr. Maza if he had any questions. Mr. Maza responded that he did not.

Mr. Maza explained the design process of the proposed second story addition, and noted that it would be compatible with the surrounding neighborhood.

Mr. Williams referred to the large trees situated on this property, and asked how the proposed construction would affect that established landscape. Mr. Maza responded that the trees would be trimmed to accommodate the addition and patio area, however they would not be negatively impacted by this construction.

Mr. Williams asked if there was any member of the audience who wished to address this request. There was no one.

Mr. Williams acknowledged that this request meets the established criteria for a use permit as follows:

1. *Any significant increase in vehicular or pedestrian traffic.* The proposed addition is not expected to significantly increase vehicular or pedestrian traffic since the site will continue to be a single-family residence.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions.* The proposed addition is not expected to generate emissions greater than ambient conditions since the site will continue to be a single-family residence.
3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan.* The proposed addition is allowed with a use permit and is compliant with the objectives set forth in the Apache Character Area Plan and the General Plan 2040.
4. *Compatibility with existing surrounding structures and uses.* Although the majority of homes in this neighborhood are single-story, there is a two story home that was constructed in 1965. Mr. Williams noted that the characterization of this use permit request is compatible with the existing neighborhood.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public.* The proposed addition is strictly for single-family use and is not expected to create disruptive behavior, inside or outside the premises.

DECISION:

Mr. Williams approved the request for a use permit to allow a second story addition for the Wiese Residence (PL170270) located at 1603 East Hudson Drive subject to the following Conditions of Approval:

1. This Use Permit is valid only after a Building Permit has been obtained and the required inspections have been completed and a Final Inspection has been passed. As part of the Building Permit process, on-site storm water retention may be required to be verified or accomplished on this Site.
2. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during building plan check process.

ANNOUNCEMENTS

- Mr. Williams noted that the next Hearing Officer public hearing is scheduled for Tuesday, October 3, 2017 at 5:00 PM with a study session scheduled for 4:30 PM.
- Mr. Steve Abrahamson, Principal Planner, noted the following:
 - Services for Jim Peterson, former Hearing Officer and City of Tempe employee, will be held at 1:00PM on Saturday, September 23rd at Desert Cross Lutheran Church, 8600 South McClintock Drive in Tempe.
 - October is National Planning Month. The City of Tempe is the recipient of two (2) awards from the Arizona Planning Association. One for the Tempe General Plan 2040, and one for the Apache Character Area Plan.

With no further business, the public hearing adjourned at 5:26 PM.

Prepared by: Diane McGuire, Administrative Assistant II
Reviewed by:

A handwritten signature in blue ink that reads "Steve A. Abrahamson". The signature is written in a cursive style and is contained within a light blue rectangular box.

Steve Abrahamson, Principal Planner
For David Williams, Hearing Officer

SA:dm

**CITY OF TEMPE
HEARING OFFICER**

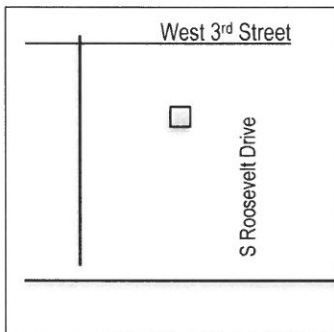
**Meeting Date: 09/19/2017
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the GAY PROPERTY located at 625 West 3rd Street. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$2,854.00

RECOMMENDATION: Staff – Approve 180 Day Open Abatement

BACKGROUND INFORMATION: Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the Gay Property (CE170321) located at 625 West 3rd Street. The file represents a history correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items for: trash, litter and debris.



Applicant	City of Tempe – Code Compliance
Zoning District	R1-6, Single-Family Residential
Code Compliance Inspector	Andres Lara-Reyes

ATTACHMENTS: Supporting Attachments

STAFF CONTACT: Andres Lara-Reyes, Code Compliance Inspector (480-350-8963)

Department Director: Chad Weaver, Community Development Director
 Legal review by: N/A
 Reviewed by: Jeff Tamulevich, Code Enforcement Manager

COMMENTS:

Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve the abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code. Due to the history of recidivism of the property owner and attempts to have the site remediated by the property, staff is requesting a 180 day open abatement to prevent repeated property neglect and neighborhood decline.

HISTORY & FACTS:

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

DATE: 08/11/2017
TO: Jeff Tamulevich, Code Compliance Administrator
FROM: Andres Lara-Reyes
SUBJECT: Request to Authorize for Abatement– Reference Complaint # CE170321

LOCATION: 625 W 3RD ST, TEMPE, AZ 85281
LEGAL: Parcel #124-31-016, as recorded with the Maricopa County Assessor
OWNER: WILLIAM & LYLA JOANNE GAY
625 W 3RD ST
TEMPE, AZ 85281

FINDINGS:

625 W 3RD ST is currently in violation of City of Tempe's Nuisance Code in regards to trash, litter and debris in the back yard.

The property has been in violation since 01/13/2017 with the initial violation being trash, litter, debris, water heater(s), discarded appliances, discarded furniture, metals, construction materials, roof tile shingles, crates, pvc tubing, tarps, fence parts, water hoses, wood, screen door(s), a walker, ladders, vehicle part or tires, books and book shelve(s) in the back yard. There has been minimal response from the owner to clean up the property

The owners WILLIAM & LYLA JOANNE GAY were mailed correction notices to the property and a citation issued to correct the violation. The violation remains unresolved as of this date. Notice of intent to abate was mailed and posted to the owner's property.

RECOMMENDATIONS:

WILLIAM & LYLA JOANNE GAY have responded but have not attempted to remedy the violation upon the property at 625 W 3RD ST. Since there has been minimal response, without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Development Services 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. Owners WILLIAM & LYLA JOANNE GAY have not given any indication that they plan on correcting the violation and maintaining the property.

Respectfully submitted,
Andres Lara-Reyes

ACTION TAKEN: SUBMIT
NAME: Andres Lara-Reyes
DATE: 8 11 17



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-8372
(480) 858-2231 (fax)

Code Compliance Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: August 11, 2017

TO: WILLIAM & LYLA JOANNE GAY
625 W 3RD ST
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:

LEGAL: Parcel # 124-31-016, as recorded with the Maricopa County Assessor.

LOCATION 625 W 3RD ST, TEMPE, AZ 85281

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of **September 19, 2017**. 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: Those items constituting a violation of TCC 21-3-b-1 which would include the following: trash, litter, debris, discarded appliances, discarded furniture, metals, pvc tubing, tarps, fence parts, wood, ladders and vehicle parts removal in the back yard.

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process. 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 **\$ 2854.00**. 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) 350-8372.

Code Enforcement Officer: Andres Lara-Reyes

Phone Number 480-350-8963



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

01/17/2017

RESIDENT
625 W 3RD ST
TEMPE, AZ 85281

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 01/17/2017 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; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation.
CC 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: <ul style="list-style-type: none">a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair 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;c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a 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;d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; ore. Operable, off-road vehicles, under the roof area of any building, or in a 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;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

CC 21-3.b.1	Please remove all trash, litter, debris, water heater(s), discarded appliances, discarded furniture, metals, construction materials, roof tile shingles, crates, pvc tubing, tarps, fence parts, water hoses, wood, screen door(s), a walker, ladders, vehicle part or tires, books and book shelve(s) in the back yard area.	02/17/2017
CC 21-3.b.3	Please provide proof of registration or remove any inoperable or unregistered vehicle(s) except for two (2) vehicles in the back yard area.	02/17/2017

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

Andres Lara-Reyes
Code Inspector

Direct: 480-350-8963
Code Compliance: 480-350-8372
Email: andres_lara-reyes@tempe.gov

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, and 17-19; Sections 21-4; 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 (commercial), \$200 (residential) per violation, 2nd occurrence \$420 (commercial), \$300 (residential) per violation, 3rd occurrence \$820 (commercial) \$400 (residential) 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 \$300 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-25: \$1,000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. | 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. | 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

01/17/2017

WILLIAM GAY
625 W 3RD ST
TEMPE, AZ 85281

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 01/17/2017 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; including, but not limited to, areas that contain items such as cans, bottles, wood, metal, plastic, rags, boxes, paper, tires, auto parts; unused, inoperable, worn out or discarded appliances or other household items; or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation.
CC 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: <ul style="list-style-type: none">a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair 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;c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a 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;d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; ore. Operable, off-road vehicles, under the roof area of any building, or in a 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;

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

Andres Lara-Reyes
Code Inspector

Direct: 480-350-8963
Code Compliance: 480-350-8372
Email: andres_lara-reyes@tempe.gov

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

01/17/2017

WILLIAM & JOANNEGAY
PO BOX 1057
PAYSON, AZ 85547

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 01/17/2017 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.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: <ul style="list-style-type: none">a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair 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;c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a 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;d. Lawful commercial activities involving vehicles as allowed by the zoning ordinance; ore. Operable, off-road vehicles, under the roof area of any building, or in a 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;

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CC 21-3.b.3	Please provide proof of registration or remove any inoperable or unregistered vehicle(s) except for two (2) vehicles in the back yard area.	02/17/2017

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

Andres Lara-Reyes
Code Inspector

Direct: 480-350-8963
Code Compliance: 480-350-8372
Email: andres_lara-reyes@tempe.gov

Civil and Criminal Penalties

City Code: Section 21-3, subsections (b) 1-8, and 17-19; Sections 21-4; 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 (commercial), \$200 (residential) per violation, 2nd occurrence \$420 (commercial), \$300 (residential) per violation, 3rd occurrence \$820 (commercial) \$400 (residential) 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 \$300 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-25: \$1,000 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. | 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. | 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

02/21/2017

RESIDENT
625 W 3RD ST
TEMPE, AZ 85281

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 02/21/2017 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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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

02/21/2017

WILLIAM GAY
625 W 3RD ST
TEMPE, AZ 85281

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

02/21/2017

WILLIAM & JOANNE GAY
PO BOX 1057
PAYSON, AZ 85547

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

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COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

05/19/2017

RESIDENT
625 W 3RD ST
TEMPE, AZ 85281

Case #: CE170321
Site Address: 625 W 3RD ST, TEMPE, AZ 85281

PLEASE CORRECT VIOLATION BY 06/12/2017 TO AVOID A CITATION. SEE ATTACHED PICTURE

This is a notice to inform you that this site was inspected on 05/17/2017 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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PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove the remaining trash, litter, debris, discarded appliances, discarded furniture, metals, pvc tubing, tarps, fence parts, wood, ladders and vehicle parts in the back yard area.	06/12/2017

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CODE COMPLIANCE
FINAL CORRECTION NOTICE

05/19/2017

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625 W 3RD ST
TEMPE, AZ 85281

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FINAL CORRECTION NOTICE

05/19/2017

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 ON OR
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HAMANN ENTERPRISES, LLC

3831 W AVALON DR.

PHOENIX, AZ 85019

(602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: ANDRES LARA-REYES

FIRM: CITY OF TEMPE

DATE: 8/10/17

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # T13-004-03

ADDRESS: 625 W 3RD ST

1 LANDSCAPE AND CLEAN FRONT AND BACK YARDS	\$1,600.00
2 ESTAMATED DUMP FEES	\$200.00
3 SECURITY BY TEMPE POLICE	\$554.00
4 ROLL OFF DUMPSTER ESTAMATED	\$500.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	<hr/> \$2,854.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN