

**CITY OF TEMPE  
BOARD OF ADJUSTMENT**

**Meeting Date: 5/29/2019  
Agenda Item: 2**

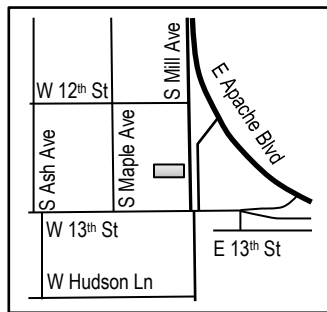
**ACTION:** Request an appeal of the April 16, 2019 Hearing Officer’s decision to approve the abatement of public nuisance items for the **LOREN PROPERTY**, located at 1220 South Mill Avenue. The appellant is Jody Loren.

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

**RECOMMENDATION:** N/A

**BACKGROUND INFORMATION:** The **LOREN PROPERTY (PL190096 / CE181300)** is located west of South Mill Avenue, one lot north of West 13<sup>th</sup> Street on Lot 12 of the Park Tract subdivision in the R-2, Multi-Family Residential District. The request includes the following:

ABTA190001 Appeal of the April 16, 2019 Hearing Officer’s decision to approve the abatement of public nuisance items



Property Owner	Jody Loren
Applicant	City of Tempe
Appellant	Jody Loren
Code Inspector	Andres Lara-Reyes
Zoning District	R-2
Net site area	10,613 s.f.
Total Building area	1,367 s.f.

**ATTACHMENTS:** Development Project File

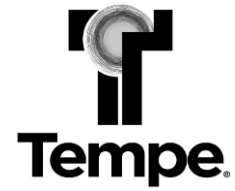
**STAFF CONTACT(S):** Lee Jimenez, Senior Planner (480) 350-8486

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Lee Jimenez, Senior Planner

Reviewed by: Steve Abrahamson, Principal Planner



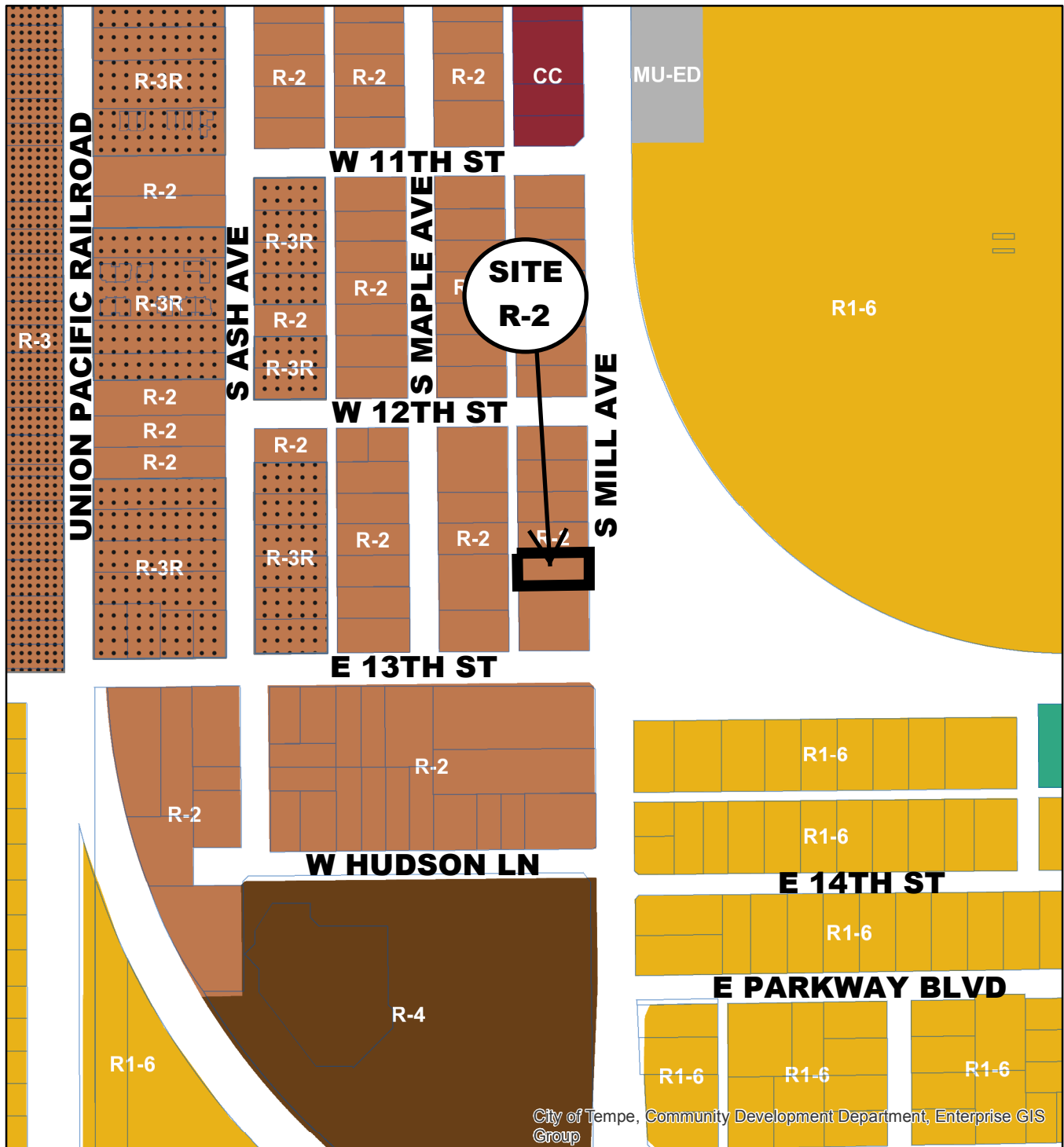
**DEVELOPMENT PROJECT FILE**  
for  
**LOREN PROPERTY**  
**(PL190096)**

**ATTACHMENTS:**

1. Location Map
2. Aerial
- 3-16. Letter of Appeal with attachments, received April 30, 2019
- 17-23. Minutes of the April 16, 2019 Hearing Officer
- 23-24. Staff report from the April 16, 2018 Hearing Officer
- 25-36. Original Supporting Attachment

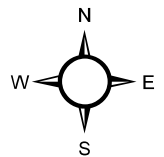
# LOREN PROPERTY

PL 190096



City of Tempe, Community Development Department, Enterprise GIS Group

- |                                  |  |
|----------------------------------|--|
| City Center (CC)                 | Multi-Family Residential (R-2)             |
| Mixed Use Educational (MU-ED)    | Multi-Family Residential Restricted (R-3R) |
| Residential/Office (RO)          | Multi-Family Residential Limited (R-3)     |
| Single-Family Residential (R1-6) | Multi-Family Residential General (R-4)     |

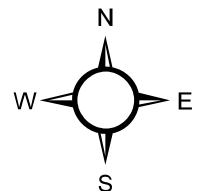


# LOREN PROPERTY

PL 190096



Aerial Map



**APPEAL OF ABATEMENT DECISION April 16, 2019**

**RE: CE181300**

**Property Address: 1220 South Mill Avenue, Tempe, AZ 85281**

Per the decision of April 16, 2019, I am hereby appealing the abatement decision with regard to my property, locate as stated above, with regard to "public nuisance items", as stated by the City of Tempe Hearing Officer.

Since the onset of me purchasing the property located at 1290 S. Mill Avenue, Tempe, AZ in May 2017 and then my purchase of this particular residence 1220 S. Mill Avenue, Tempe AZ, I have been harassed on a continuous basis with regard to my residential property by Code Inspector, Andres Lara-Reyes. I have been discriminated on so many levels. Since my purchase of the home above, in March 2018, immediately, within 2 days of my purchase, this particular hearing officer has harassed me monthly, claiming first that my front tree was an issue AND that he didn't have a problem with my tree, but that there were complaints from my neighbors. There was supposed issues with my property purchased in May 4, 2017, and a letter then too was received within days after my purchase. Coincidence, I this not.

Then in mid 2018, Mr. Lara-Reyes, brought up the tree that I have located in my back yard, and then in January 2019, cited me for same. He claimed again that my tree was a nuisance and that my neighbors had complained AND again stating he personally had no problem with my tree.

On all occasions, I have asked numerous times, via telephone, in writing and in court, for confirmation as to these complaints "alleged" complainants, to no avail. I have even asked his supervisor, to no avail. A person cannot be expected to represent themselves without having all the facts, being able to question said complainants, prepare for court, etc., which has not happened. In fact, just the opposite. The fact of the matter is that I do not have ANY neighbors who have complained. I own the property to the south of my home, my neighbor to the north of my home has not complained (see letter attached hereto),, there are no neighbors to the east of my home and there is a large empty lot to the west of my home. There have been no proven complaints against me and I feel that this has in fact been nothing but harassment, politically unjust and arbitrary.

The matter before this Court is the tree that is located in my back yard. In my back yard where no one can see from the outside. In fact, the code inspector was sited taking pictures from the top of the cab of his truck in order to see over other greenery in order to actually get a picture of the tree, that is claimed to be a nuisance. My tree is not a nuisance in any form or fashion. A nuisance does not include something to just a sight. It is not a hazard in any way. It has been there for years, and nothing was said until 2 days after I purchased the property. In fact, the hearing officer herself indicated that it was hard to

see the tree from the outside when she reviewed the property the weekend before. (See photos attached herein and presented at the time of hearing on April 16, 2019.)

As stated very clearly at my abatement hearing, I do have a physically dead tree in my back yard, that has only a few branches left. It has been cut down substantially from it's original size, which was done long before my purchase. This tree is not dead however, it is full of life. This particular tree is the home to approximately 25,000 honey bees, a honey bee colony, and the tree is full of daily life and activity. The bees travel at a higher level, disturbing no one. The complaint about my tree is not about the bees, but about their home. Mr. Reyes knew nothing about the bees until I informed him. As you we should all be aware, we as a community are already endangering our bees and their eco systems and to remove them from this tree would be devastating at this time. This is their environment and any disruption to the tree would devastate the bee colony. The process of removing this tree is a timely, costly and beyond tedious. The tree is full of honey and if removed, rodents will come from miles. All of this harassment is due to an "allegation" that someone complained about this tree. This tree is of no harm to anyone, no one. And the code inspector, Mr. Reyes, is merely continuing to harass me, as he has done now for over a year.

At the time of the hearing, I presented several pictures of other trees and stumps around the neighborhood, just like mine, that have been there for years. (See photos attached). Since my hearing in April, I have collected dozens of pictures of trees in actual front yards that are dead, dead and painted, or dead with artwork on them, and NO ONE is being asked to remove those trees. I have asked numerous home owners and they have indicated no complaints, ever. What Mr. Reyes said to me at the last civil hearing was that he will not act upon those other trees, **UNLESS SOMEONE COMPLAINS**. How is this is anyway fair or just. Even the judge questioned him on this and was shocked by his response.

Upon attending my April 16, 2019 hearing, I was saw dead tree stumps laying around the City of Tempe garden courtyard area, exactly what Mr. Reyes has complained about with me and actually cited me for in the past year.

This is a clear case of discrimination, unjust legal process, arbitrary and, therefore, I request that this matter be dismissed in its entirety and this abatement matter closed.

DATED this 30<sup>th</sup> day of April, 2019.

  
Jody Loren, homeowner

tree



Carvings wanted to use for Stump.



Stump



*Current as of 4-14-2019*





✂



Examples of misc stumps...

Fear the Fork I complained to  
hug officer about 2/19/2019  
recurrently still standing



*facing west*



*facing east*



tree cannot  
be seen from  
outside street



Cannot see thru side yard  
south of property



side yard  
south of property

presented 4-16-19 mg.



back yard outside property  
line - can barely see tree



back yard outside property line  
cannot see tree



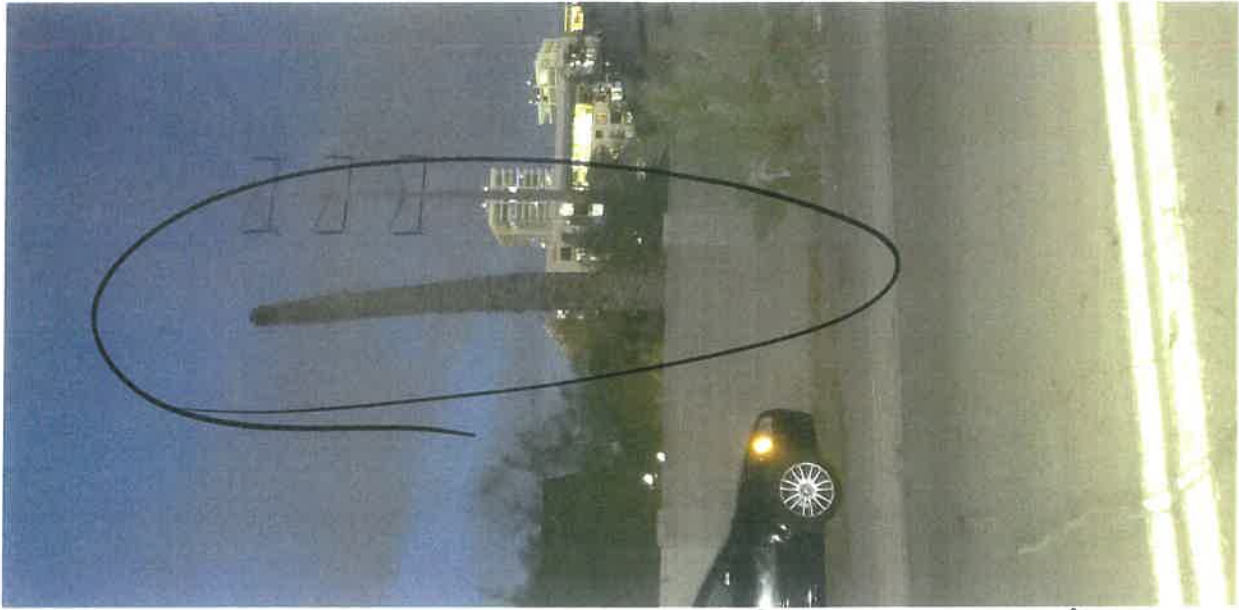
view from neighbor's property  
north of 1220 S. Mill Ave

Examples of dead trees in my neighborhood.



Armed & 9th

presented @ 4-16-2019 by



Form # 944



presented @ 4-16-19 hvj.





\* directly behind my  
property - nothing done after  
numerous calls & reminders

presented @  
4-16-19 mg.

Bryan Sandell  
1212 S. Mill Avenue  
Tempe, AZ 85281

**Re: 1220 S. Mill Avenue, Tempe, AZ 85281**

To Whom It May Concern:

My name is Bryan Sandell and I live immediately to the north of the property owned by Jody Loren at 1220 South Mill Avenue, Tempe.

At no time have I made any reports to 311 or the City of Tempe directly as to the status of Jody's dead tree in her back yard OR the tree that was removed from the front yard.

Sincerely,

*Bryan Sandell*

Bryan Sandell

04/16/2019

## MINUTES HEARING OFFICER April 16, 2019

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.

### REGULAR SESSION 5:01 PM

#### Present:

Vanessa MacDonald, Hearing Officer  
Steve Abrahamson, Principal Planner  
Brittainy Nelson, Administrative Assistant I

There were 3 interested citizens present at the regular session.

Meeting convened at 5:00 PM and was called to order by Vanessa MacDonald. They 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 April 30, 2019 at 3:00 PM, to the Community Development Department.

1. The following was noted:

- **Agenda Item No. 1**

**April 02, 2019 Hearing Officer Minutes**

**Vanessa MacDonald**, Hearing Officer, stated that the April 02, 2019 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the **LOREN PROPERTY** located at 1220 S. Mill Avenue. The applicant is the City of Tempe (**CE181300**).

Andres Lara-Reyes, Code Inspector, gave the following overview of this case:

- Dead tree in backyard
- Violation since March of 2018
- Owner was found in violation in the civil court

Ms. MacDonald clarified that in the packet that she received the violations where for a tree stump, a dead tree, and debris in the driveway.

Mr. Lara-Reyes stated that the front of the property has been taken care of and that the only thing that remains is the tree in the backyard.

Ms. MacDonald asked if there is anyone in the public that would like to speak on agenda item number 2.

Ms. MacDonald invited property owner Ms. Judy Loren to come up and speak.

Ms. Loren stated that initial removal of the 80-year-old tree was brought to her attention within two days of purchasing her new home in April of 2018. The same thing happened when she purchased the property just south of her home in May of 2017 a notice was sent two days after the sale. She was informed by the code inspector that he does not write citations unless neighbors have complained about a certain matter regardless if it is in violation of code or not. She has asked for the names of the neighbors that were filing the complaint and was informed that the information could not be supplied to her. She has removed the tree stump in the front yard. She wanted to keep the tree stump to create art work and was told by Mr. Lara-Reyes that it was not permitted. She wanted to have the names of the neighbors filing the complaint for court and was denied. The tree in her backyard is the home a honey bee colony and has been there for numerous years. The tree is full of bees and honey however the complaint is not about the bees but there home. Ms. Loren will not disturb these bees in their home environment because someone made a complaint about the tree. A tree that is not visible outside of her yard. She has spoken to bee removal companies that stated that removing the bees are timely and costly as well as temporary because the bees will try and come back. Additionally, due to the fact that the tree is full of honey that thousands of rodents from all over will come because of the honey waste. Ms. Loren is the neighbor directly south of the property she owns the club house in front of the property and the neighbor directly south of her has written a letter and has never made a complaint about the tree. There are no neighbors behind her besides an empty lot and squatters that are living on the property now. There has been a complaint about the squatters and nothing has been done about that issue. Mr. Lara-Reyes must climb on the top of the cab of his truck to see the tree. Since Mr. Lara-Reyes must climb on top of his truck to see it how is it that it is considered a nuisance. She is appalled that she must be there to deal with the matter and has been harassed over and over since the purchase of her home over a year ago. She does not have a home owners association and feels that the City Code should apply to everyone however she was told by Mr. Lara-Reyes that he does not write citations unless there is a complaint. She said that she would like to see the proof otherwise she feels that it is harassment. Ms. Loren stated that she arrived today to the meeting and The Chambers has tree stump's as decorations in the front of the building.

Ms. MacDonald asked if there was anyone else in the public that would like to speak on agenda item number 2.

Ms. MacDonald asked Mr. Lara-Reyes if he would like to come back up and say anything regarding to what the home owner mentioned.

Mr. Lara-Reyes stated that he has nothing more to add he has gone over the guidelines of the property and the violation and feel that there needs to be an abatement of the property to bring it into compliance.

Ms. MacDonald stated that beauty is in the eye of the beholder. She then informed Ms. Loren that it is the obligation of the Hearing Officer to uphold the Zoning and Development Code and the Tempe City Code, which has clear standards for deteriorated landscape. In which a dead tree is considered a deteriorated landscaping. It can be distinguished as a tree that is dormant. If a tree is around long enough and is not producing any leaves and serves no purpose, then it needs to be considered deteriorated landscaping. She understands that there is a bee colony there, but it can be removed.

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

- 
3. Request abatement of public nuisance items at the **POLCHOW PROPERTY** located at 1964 E. El Parque Drive. The applicant is the City of Tempe (**CE185599**).

Michael Glab, Code Inspector, gave the following overview of this case:

- August 2018 observed deteriorated landscape grass and weed in gravel
- Mailed noticed to property owner
- December of 2018 deteriorated landscape remained posted notice to structure
- January of 2019 violation remained and issued the violation to the resident of the home
- There is a resident on the property where the owner is at a different property
- The resident had requested and extension
- Between December of 2018 and February 2019 there were about 16 voicemails received from the residents about why the work has not been done and asking for extensions, or advising that the work will be completed shortly
- Three extensions where granted through the time frame

Ms. MacDonald asked if there was anyone in the audience that would like to speak on agenda item number 3.

Ms. MacDonald stated that the property is marketable different then some of the photographs that have been seen but agrees with assessment. Given the patience that has been extraordinary with this property owner normally it does not take six months.

Ms. MacDonald approved the 180-day abatement.

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4. Request abatement of public nuisance items at the **EASTLINE LAND VENTURES LLC PROPERTY** located at 2034 E. Wildermuth Avenue. The applicant is the City of Tempe (**CE187174**).

Michael Glab, Code Inspector, gave the following overview of this case:

- October 2018 received complaint for dead trees, junk, and debris, transient on the property
- Contacted PD and they said that they have been burned with calls about the transient, squatters on the property
- Sent notice of complaints to the property owner of the county as of 2018
- December of 2018 spoke with the property manager and offered an extension
- January of 2019 violation still on property posted notice to premeiter fence line
- Has been in contact with another property manager and they said that the violations are taken care
- Presented photo of property showing the dead tree, and dumpster on the ground showing that work is being done but still in progress
- The property also has a sign to go in front of a commission for redevelopment however not sure of when the work will be completed

Ms. MacDonald asked if there was anyone in the audience that would like to speak on agenda item number 4.

Ms. MacDonald stated that she appreciates how patience Mr. Glab has been with the process and that she is aware of how difficult it can be to track down the owner when it is not a home that one can just go up and knock on the door. She agrees that the property needs to be abated and brought up to code. Also, there is no reason to wait for the outcome of whatever zoning case or application is for the property because those cases can get continued and hung up in the process.

Ms. MacDonald approved the 180-day abatement.

- 
5. Request abatement of public nuisance items at the **FUJII PROPERTY** located at 2227 E. McArthur Drive. The applicant is the City of Tempe (**CM181305**).

Marvin White, Code Inspector, gave the following overview of this case:

- Over grown weeds and debris
- Citation was issued
- Sent out certified mail and has come back signed that the owner received it

Ms. MacDonald asked if there was anyone in the audience that would like to speak on agenda item number 5.

Ms. MacDonald is aware that the owner is an out of state property owner per her packet of information given to her. Which may be one of the reasons that the property owner is not aware of the state that the property is in.

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

- 
6. Request abatement of public nuisance items at the **KHALIL PROPERTY** located at 2240 E. Apache Blvd. The applicant is the City of Tempe (**CM181306**).

Marvin White, Code Inspector, gave the following overview of this case:

- Vacant parcel with over grown weeds and debris
- Mailed out correspondent to the property as well has not received the signed copy back

Ms. Macdonald stated that with parcels like these sometimes the owner forgets about them and sometimes it maybe easier for them to have the City clean up the property for them.

Ms. MacDonald asked if there was anyone in the audience that would like to speak on agenda item number 6.

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

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7. Request abatement of public nuisance items at the **HART PROPERTY** located at 1201 N. Stadem Drive. The applicant is the City of Tempe (**CM190033**).

Marvin White, Code Inspector, gave the following overview of this case:

- Overgrown trees and debris, dead trees
- The property owner Mr. Hart did reach out by phone and inform that he is in the process of trying to bring the property into compliance
- Mr. Hart was advised to come down and speak with the hearing officer himself
- Sent out certified mail and received it back signed
- Some work has been done and will work with property owner but would like to make sure that the property does come into compliance

Ms. MacDonald invited Mr. Hart the property owner up to speak.

Mr. Hart stated that he is about half way done he has cut down some trees. He said that he has completed Tempe Drive and that he is working on getting Stadium Drive completed there is mesquite that needs to be cut up and there are some weeds on the side that needs to be cleaned up. He was hoping to have it all done by today but the guy that is doing the work did not show up.

Ms. MacDonald stated that the best part of the process is that the property owner does have a two-week window between when a decision is rendered, and the work can be completed. If within the next two weeks, then the property will not be abated by the City but with the 180-day abatement it becomes a rolling abatement and that within the 180 days that property owner is still required to maintain the property.

Ms. MacDonald stated that because of the slow progress that she is going to approve the 180-day abatement.

Ms. MacDonald approved the 180-day abatement.

- 
8. Request abatement of public nuisance items at the **XU PROPERTY** located at 2244 E. Apache Blvd. The applicant is the City of Tempe (**CM190171**).

Marvin White, Code Inspector, gave the following overview of this case:

- Overgrown weeds and debris
- This property has been abated twice since 2016
- The property owner is unable to be contacted

Ms. MacDonald stated that she remembers this property and it is a frequent flyer for her. The property is in the Apache area and a lot of the lots have been bought for investment properties. The property owners are either waiting to sell the property or develop it own there own but nevertheless she is grateful to have the opportunity to keep the properties up to code while they are waiting.

Ms. MacDonald agrees with the assessment of the property.

Ms. MacDonald approved the 180-day abatement.

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**ANNOUNCEMENTS**

- Vanessa MacDonald noted that the next Hearing Officer public hearing is scheduled for Tuesday, May 7, 2019 at 5:00 PM with a study session scheduled for 4:30 PM.

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With no further business, the public hearing adjourned at 5:36 PM.

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Prepared by: Brittainy Nelson  
Reviewed by:



Steve Abrahamson, Principal Planner  
For Vanessa MacDonald, Hearing Officer

SA: bn



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**CITY OF TEMPE  
HEARING OFFICER**

**Meeting Date: 4/16/2019  
Agenda Item: 2**

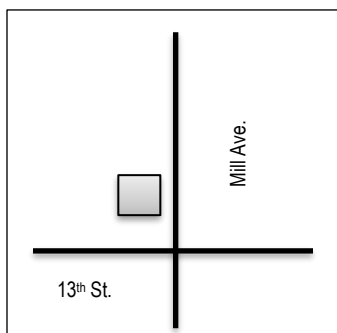
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**ACTION:** Request approval to abate public nuisance items at the Loren Property located at 1220 S. Mill Avenue. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$2527.00 for abatement request, remove tree stump in front yard and dead tree in back 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 LOREN 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 CE181300: remove tree stump in front yard and dead tree in back yard.



Property Owner: Jody Loren  
Applicant: City of Tempe – Code Compliance  
Zoning District: R-2 – Multi Family Residential  
Code Compliance Inspector: Andres Lara-Reyes, Code Inspector

**ATTACHMENTS:** Supporting Attachment

**STAFF CONTACT:** Drew Yocom, Planning & Research Analyst (480-858-2190)

Department Director: Chad Weaver, Community Development Director  
Legal review by: N/A  
Prepared by: Barbara Simons, Code Inspector  
Reviewed by: Drew Yocom, Planning & Research Analyst

**COMMENTS:**

Code Compliance is requesting approval to abate the Loren Property located at 1220 S. Mill Avenue, in the R-2, Multi Family Residential district. This case was initiated 04/09/2018, 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

# Project Submittal Application

**City of Tempe**  
**Community Development Department**  
**31 E. 5<sup>th</sup> Street, Garden Level, Tempe, AZ 85281**  
**(480) 350-4311 Fax: (480) 350-8677**  
**Planning Fax: (480) 350-8872**  
**www.tempe.gov**



**Project Information - Required**

Project Name: JODY LOREN ABATEMENT		
Project Address: 1220 S MILL AVE TEMPE AZ 85281	Suite No.:	<input type="checkbox"/>
Proposed Use of Building/Suite:	Existing Zoning: R-2	<input type="checkbox"/>
Legal Description: <input type="checkbox"/> Attached	Parcel No.: 132-45-042	<input type="checkbox"/>
Description of Work/Request Abatement to include: removal of dead tree stump in the front yard & dead tree in the back yard.		
Hearing date: 04/16/2019	Valuation (for building plan review)	CE181300

**Applicant Information Required**

Company or Firm Name: CITY OF TEMPE		Telephone 1: (480 ) 350-8963		Ext: 8963
Applicant's Name: ANDRES LARA-REYES		Telephone 2: ( )		Ext: _____
Applicant's Street Address :		Fax: ( )		
City:	State:	Zip:	Email Address(es):	
Applicant Signature:		Date: 03/13/2019		

**For City Use Only**

<b>Planning</b> <input type="checkbox"/> Recordation <input type="checkbox"/> SPR <input type="checkbox"/> PL Dev Plan Review <input type="checkbox"/> Sign Permit <input type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> General Plan Amend <input type="checkbox"/> Zoning Amend <input type="checkbox"/> Zoning Verification Letter <input type="checkbox"/> Subdivision/Condo <input type="checkbox"/> PAD Overlay <input type="checkbox"/> Legal Posting Signs <input type="checkbox"/> Administrative Decision <input checked="" type="checkbox"/> Abatement <input type="checkbox"/> Shared Parking <input type="checkbox"/> CCR Review <input type="checkbox"/> Continuance <input type="checkbox"/> Appeal <input type="checkbox"/> Other _____ <b>Fire</b> <input type="checkbox"/> Tanks <input type="checkbox"/> AFES (O/H) <input type="checkbox"/> Spray Paint Booth <input type="checkbox"/> Special Extinguishing <input type="checkbox"/> Fire Alarm <input type="checkbox"/> Kitchen Hood System <input type="checkbox"/> Rack Storage <input type="checkbox"/> Hazmat <input type="checkbox"/> Other _____	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><th colspan="2">Fees</th></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>	Fees																																						<b>Building</b> <input type="checkbox"/> New Building <input type="checkbox"/> Com Add/Alt <input type="checkbox"/> TI <input type="checkbox"/> MF <input type="checkbox"/> NRes <input type="checkbox"/> Res Remodel/Add <input type="checkbox"/> Pool <input type="checkbox"/> Demo <input type="checkbox"/> Grading Only <input type="checkbox"/> Phased Constr <input type="checkbox"/> Phased Constr w/UG MEP <input type="checkbox"/> Structural Frame <input type="checkbox"/> MEP Only <input type="checkbox"/> Mobile Home <input type="checkbox"/> Factory Built Bldg <input type="checkbox"/> Deferred submittal <input type="checkbox"/> Revision <input type="checkbox"/> New Standard <input type="checkbox"/> Permits based on Standard #  <input type="checkbox"/> Surfing <input type="checkbox"/> Other _____	<b>Engineering</b> <input type="checkbox"/> Engineering  <input type="checkbox"/> Revision <b>Tracking Nos.:</b> DS _____ BP _____ RA _____ FR _____ RAF _____ EN _____ RAE _____ PL _____ SPR _____ SGN _____ GO _____ GOB _____ SE _____ ZP _____  <b>MCA Code:</b>  <b>File With:</b>  <b>Received By:</b>	<b>Submitted Materials:</b> <table style="width: 100%;"> <tr> <td>Building _____</td> <td>Fire _____</td> </tr> <tr> <td>Planning _____</td> <td>Signs _____</td> </tr> <tr> <td>Engineering _____</td> <td></td> </tr> </table> <input type="checkbox"/> Spec Book(s) <input type="checkbox"/> Structural Calcs <input type="checkbox"/> Truss Calcs <input type="checkbox"/> Hydraulic Calcs <input type="checkbox"/> Parking Analysis <input type="checkbox"/> Lighting Cut Sheets <input type="checkbox"/> Soils Report <input type="checkbox"/> Report <input type="checkbox"/> Materials <input type="checkbox"/> Color Board <input type="checkbox"/> Haz Mat Form <input type="checkbox"/> Other: _____  <b>Total Valuation:</b>  <b>Total Submittal Fees:</b>  <b>Validation:</b>  <b>Date Stamp:</b>	Building _____	Fire _____	Planning _____	Signs _____	Engineering _____	
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Building _____	Fire _____																																															
Planning _____	Signs _____																																															
Engineering _____																																																

**DATE:** 03/13/2019  
**TO:** Jeff Tamulevich, Code Compliance Administrator  
**FROM:** Andres Lara-Reyes  
**SUBJECT:** Request to Authorize for Abatement– Reference Complaint #CE181300

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**LOCATION:** 1220 S MILL AVE, TEMPE, AZ 85281  
**LEGAL:** Parcel #132-45-042, as recorded with the Maricopa County Assessor  
**OWNER:** JODY LOREN  
1220 S MILL AVE  
TEMPE, AZ 85281

**FINDINGS:**

1220 S MILL AVE is currently in violation of City of Tempe's Nuisance Code in regard to a dead tree stump in the front yard and a dead tree in the back yard.

The dead tree stump in the front yard and the dead tree in the back yard has been in violation since 03/08/2018 with the initial violation being a dead pine tree in the front yard. There has been minimum response from the owner of the property.

The owners JODY LOREN has been issued correction notices and citations to correct the violation(s) by mail with minimum response. As stated above, the dead tree stump in the front yard and a dead tree in the back yard remain in violation as of this date. Notice of intent to abate was certified mailed and mailed to the property.

**RECOMMENDATIONS:**

JODY LOREN has not attempted to remedy the violation upon the property at 1220 S MILL AVE. 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. JODY LOREN has not given any indication that she plans on correcting the violations and maintaining the property.

Respectfully submitted,  
Andres Lara-Reyes

ACTION TAKEN: Subm 1  
NAME: [Signature]  
DATE: 3/13/19



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 03/13/2019  
Case #: CE181300

**JODY LOREN**  
**1220 S MILL AVE**  
**TEMPE, AZ 85281**

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

Location: 1220 S MILL AVE TEMPE, AZ 85281  
Parcel: 13245042

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of April 16, 2019. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

CC 21-3.b.8      Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps;

If the violations have not been corrected within thirty (30) days, our office will proceed with the abatement process. As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct any violation as described below:

CC 21-3.b.8      Please remove the dead tree stump in the front yard and the dead tree in the back yard.

Note: Dead tree(s) or stumps need to be removed or cut to ground level.

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 \$2527.00. 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 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)350-8311.

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**Code Inspector: Andres Lara-Reyes**  
**Phone Number: 480-350-8963**  
**E-mail: andres\_lara-reyes@tempe.gov**



March 13, 2019

City of Tempe  
Attn: Andres Lara  
Code Inspector

RE: Revised Tree Removal – 1220 S Mill 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 below at 1220 S Mill Ave in the City of Tempe. Please give us a call for any questions you may have at 480-821-4966.

#### Scope of Work

- Removal of dead tree in backyard
- Stump grind dead tree stump in front yard
- PD Officer on site during abatement

Total = \$2,527.00

Respectfully,

Jose Hernandez



COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
CORRECTION NOTICE

04/09/2018

JODY LOREN  
1220 S MILL AVE  
TEMPE, AZ 85281

Case #: CE181300  
Site Address: 1220 S MILL AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 04/09/2018 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please remove the dead pine tree in the front yard landscape area.	05/09/2018
Note: Dead tree(s) need to be removed or cut to ground level.		

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**

**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 \$75.00 pursuant to City Code Section 21-51, subsection (b).  
**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

07/16/2018

JODY LOREN  
1220 S MILL AVE  
TEMPE, AZ 85281

Case #: CE181300  
Site Address: 1220 S MILL AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 07/16/2018 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or Nuisances and Property Enhancement Ordinance, Chapter 21, Article I and/or II of the City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

Section	Violation
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.8	Please remove or cut to ground level the dead pine tree in the front yard landscape area.	07/30/2018

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**

**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 \$75.00 pursuant to City Code Section 21-51, subsection (b).  
**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

10/24/2018

JODY LOREN  
 1220 S MILL AVE  
 TEMPE, AZ 85281

Case #: CE181300  
 Site Address: 1220 S MILL AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 10/24/2018 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;
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove the two (2) tree trunks debris in the driveway.	11/26/2018
CC 21-3.b.8	Please remove or cut to ground level the dead tree in the back yard.	11/26/2018
CC 21-3.b.8	Please remove or cut to ground level the dead tree stump in the front yard.	11/26/2018

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

**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 \$75.00 pursuant to City Code Section 21-51, subsection (b).  
**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

11/26/2018

JODY LOREN  
1220 S MILL AVE  
TEMPE, AZ 85281

Case #: CE181300  
Site Address: 1220 S MILL AVE, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 11/26/2018 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;
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; or any dead trees, bushes, shrubs or portions thereof, including stumps;

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove the two (2) tree trunks debris in the driveway.	12/10/2018
CC 21-3.b.8	Please remove or cut to ground level the dead tree in the back yard.	12/10/2018
CC 21-3.b.8	Please remove or cut to ground level the dead tree stump in the front yard.	12/10/2018

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

**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 \$75.00 pursuant to City Code Section 21-51, subsection (b).  
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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.

**132-45-042 Residential Parcel**

This is a residential parcel located at 1220 S MILL AVE TEMPE 85281, and the current owner is LOREN JODY. It is located in the Park Tract subdivision and MCR 1327. It was last sold on 02/01/2018 for \$340,000. Its current year full cash value is \$319,500.

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**Property Information****1220 S MILL AVE TEMPE 85281**

MCR #	<u>1327</u>
Description:	PARK TR
Lat/Long	<u>33.41528573   -111.94000603</u>
Lot Size	10,613 sq ft.
Zoning	R-2
Lot #	12
High School District	TEMPE UNION #213
Elementary School District	TEMPE ELEMENTARY SCHOOL DISTRICT
Local Jurisdiction	TEMPE
S/T/R	22 1N 4E
Market Area/Neighborhood	02/005
Subdivision (94 Parcels)	<u>PARK TRACT</u>

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**Owner Information****LOREN JODY**

Mailing Address	1220 S MILL AVE, TEMPE, AZ 85281
Deed Number	<u>180175448</u>
Last Deed Date	03/08/2018
Sale Date	Feb, 2018
Sale Price	\$340,000

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**Maricopa County Treasurer's Office**

Royce T. Flora, Treasurer

**Tax Summary 132-45-042 0**

**Current Mailing Name & Address**

LOREN JODY  
1220 S MILL AVE  
TEMPE, AZ 85281

**Property (Situs) Address**

1220 S MILL AVE  
TEMPE, AZ 85281

**2018 Tax Due**

<b>Assessed Tax:</b>	\$2,508.00	<b>Tax Paid:</b>	\$0.00	<b>Total Due:</b>	\$2,591.60
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[View 2018 Tax Details](#)

[Create Stub](#)

[View Additional Tax Years](#)

**Total Amount Due**

**Total Amount Due: \$2,591.60**

Total amount due does not reflect any pending payments. Amount may change based on activity to this parcel.

**NOTE:** Your property may be subject to additional tax liens listed under previous parcel numbers.

[301 West Jefferson, Suite 100, Phoenix, Arizona 85003](#) 
 (602)506-8511 
 TT (602)506-2348 
 FAX (602)506-1102 
 Disclaimer

Preferences Help You are logged in as Andres Lara-Reyes

Home Menu History Control Central Save Clear Refresh

Main Account Information Customer Information Account Tree Premise Tree Bill/Payment Tree Pay

**Current Context**

Person LOREN,JODY - Cell Phone: (480) 466-4222

Account ID 3344931117 5 LOREN,JODY,Residential,\$168.36,3344931117

Current Balance \$168.36

Premise 1220 S MILL AVE, TEMPE, AZ, 85281-5648

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**Customer Information (Map Zone)**

Account ID 3344931117

Main Customer LOREN,JODY - Cell Phone: (480) 466-4222

Set Up Date 03-14-2018

CIS Division City of Tempe

Customer Class Residential

Bill Cycle Block 1

Current Credit Rating 650

Cellular Phone (480) 466-4222

Social Security \*\*\*-\*\*-3089

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**SA Premise List**

Premise	Current Balance	Payoff Balance	SA I
1220 S MILL AVE, TEMPE, AZ, 85281-5648	\$36.90	\$36.90	
1220 S MILL AVE, TEMPE, AZ, 85281-5648	\$51.46	\$51.46	
1220 S MILL AVE, TEMPE, AZ, 85281-5648	\$44.00	\$44.00	
1220 S MILL AVE, TEMPE, AZ, 85281-5648	\$36.00	\$36.00	

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**Premise Information**

Premise Information	1220 S MILL AVE, TEMPE, AZ, 85281-5648
CIS Division	City of Tempe
Lot Size Square Footage (Flood Irrigation)	9497
SRP Code	Normal Flow
Solid Waste Service Location	Alley Service
Taxing City	City of Tempe
Service Point Information	Flood Irrigation/Flood Irrigation/Wilson
Service Point Information	Water Single-family Residential/Water
Meter Configuration	Water - 5/8 " Meter, 15181014, Eff 11
Last Meter Read	03-10-2019 04:00PM
Next Meter Read	04-08-2019 ( Water - Block 1 Fixed Ne
Service Point Information	Solid Waste Residential/Monday Trash

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**Field Activity Information**

Schedule Date/Time Start	Field Activity Information
10-30-2018 12:00AM	1220 S MILL AVE, TEMPE, AZ, 85281-5648,Water Single-family Residential, On-
07-06-2018 12:00AM	1220 S MILL AVE, TEMPE, AZ, 85281-5648,Water Single-family Residential, On-
03-29-2018 12:00AM	1220 S MILL AVE, TEMPE, AZ, 85281-5648,Water Single-family Residential, Sta
04-15-2016 10:24AM	1220 S MILL AVE, TEMPE, AZ, 85281-5648,Water Single-family Residential, On-

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**Account Financial History**

