

MINUTES HEARING OFFICER September 3, 2019

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Tempe History Museum located at 809 East Southern Avenue, Tempe, Arizona 85282 at 5:00pm.

REGULAR SESSION 5:00 PM

Present:

Vanessa MacDonald, Hearing Officer
Jeff Tamulevich, Code Compliance Administrator
Drew Yocom, Code Compliance Analyst
Shelbie Meyer, Administrative Assistant

There were zero (0) interested citizens present at the regular session.

Meeting convened at 5:01 PM and was called to order by Vanessa MacDonald. Hearing Officer MacDonald stated anyone wishing to appeal a decision will need to file a written appeal within fourteen (14) calendar days, by September 17, 2019 at 3:00 PM, to the Community Development Department.

1. The following was noted:

• **Agenda Item No. 1**

August 20, 2019 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the August 20, 2019 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the WEBB PROPERTY located at 1011 W. 12th Street. The applicant is the City of Tempe (CE194226).

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

- Requested a 180-day open abatement of this property for over height grass and weeds in front as of June 13, 2019.
- Lara-Reyes indicated that notices were mailed and posted to property.
- Lara-Reyes indicated that there was no response from the owner and that this property has been out of code compliance for six (6) years.

Hearing Officer MacDonald approved the 180-day abatement.

3. Request abatement of public nuisance items at the GUTIERREZ PROPERTY located at 2109 E. Pegasus Drive. The applicant is the City of Tempe (CE192930).

Jack Scofield, Code Inspector, gave the following overview of this case:

- Requested a 180-day open abatement of this property for trash and debris in the front and backyards.
- Scofield noted he sent violation notices to owner, has had contact with her, granted a few extensions, and offered HEART assistance program and voluntary abatement program.
- Scofield has cited the owner and has an upcoming court hearing.
- Hearing Officer MacDonald visited the property herself and agreed with Inspector Scofield's assessment.

Hearing Officer MacDonald read into the record regarding Manuel Padilla's submitted public comment:

- [Padilla's public comment.](#)

Hearing Office MacDonald approved the 180-day abatement.

4. Request abatement of public nuisance items at the PLACENTIA PROPERTY located at 1810 E. Palmcroft Drive. The applicant is the City of Tempe (CE192336).

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

- As of December 2018 into 2019, this property has been out of compliance for thirteen (13) consecutive months.
- Glab noted that no proactive measures are taken by the property owner to keep yards in compliance.
- Glab indicated that grass and weeds are still present on west side of property and lawn parking present on east side.
- April 2019, notices have been mailed and posted from owners or property managers from last known address. Glab is seeking a 180-day abatement of property.

Hearing Officer MacDonald approved the 180-day abatement.

5. Request abatement of public nuisance items at the KUHN PROPERTY located at 2625 S. River Drive. The applicant is the City of Tempe (CE192710).

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

- In April 2019, Code Compliance office received complaints and Inspector Glab spoke with resident of the property.
- In May 2019, exchanged voicemails with resident for the request of an extension, to which Glab granted.
- Violations remained and Inspector Glab mailed two (2) notices to resident and posted to the structure.
- The property owners wanted to enclose carport area, Glab advised them to go through building safety and planning first.
- Building materials are now added to the junk and debris and inoperable vehicles in the carport. Glab is seeking a 180-day abatement of property.

Hearing Officer MacDonald approved the 180-day abatement.

6. Request abatement of public nuisance items at the NGUYEN PROPERTY located at 3233 S. 48th Street. The applicant is the City of Tempe (CM190629).

Amy Wozniak, Code Inspector, gave the following overview of this case:

- Inspector Wozniak requested a 180-day open abatement of this property for uncontrolled grass/weeds throughout property, junk and debris, and graffiti.
- Several violation notices were mailed and posted to property owner, with no response. Notice to abate was sent to property owner and posted to structure.
- Wozniak indicated that this property has been abated four (4) times in the past and has continued to be an eyesore for the community.

Hearing Officer MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Hearing Officer MacDonald announced that the next hearing officer meeting will take place on September 17, 2019.

With no further business, the public hearing adjourned at 5:17 PM.

Prepared by: Shelbie Meyer
Reviewed by: Jeff Tamulevich

Jeff Tamulevich, Code Compliance Administrator
For Vanessa MacDonald, Hearing Officer

JT: sm