

**CITY OF TEMPE
BOARD OF ADJUSTMENT**

**Meeting Date: 10/23/2019
Agenda Item: 3**

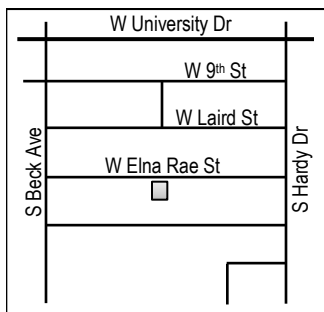
ACTION: Request an appeal of the August 20, 2019 Hearing Officer's decision to approve the abatement of public nuisance items for the **STORM PROPERTY**, located at 1105 West Elna Rae Street. The appellant is Daryl Steele.

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

RECOMMENDATION: N/A

BACKGROUND INFORMATION: The **STORM PROPERTY (PL190240 / CE191569)** is located south of West University Drive and east of South Priest Drive on Lot 118 of the Western Village 3 Subdivision in the R1-6, Single-Family Residential District. The request includes the following:

ABTA190002 Appeal of the August 20, 2019 Hearing Officer's decision to approve the abatement of public nuisance items



Property Owner	Storm Trust No. JSL-1
Applicant	City of Tempe
Appellant	Daryl Steele
Code Inspector	Andres Lara-Reyes
Zoning District	R1-6
Net site area	6,582 s.f.
Total Building area	1,118 s.f.

ATTACHMENTS: Development Project File

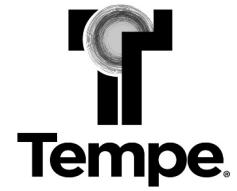
STAFF CONTACT(S): Dalton Guerra, Planner I (480) 350-8652

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Dalton Guerra, Planner I

Reviewed by: Steve Abrahamson, Principal Planner



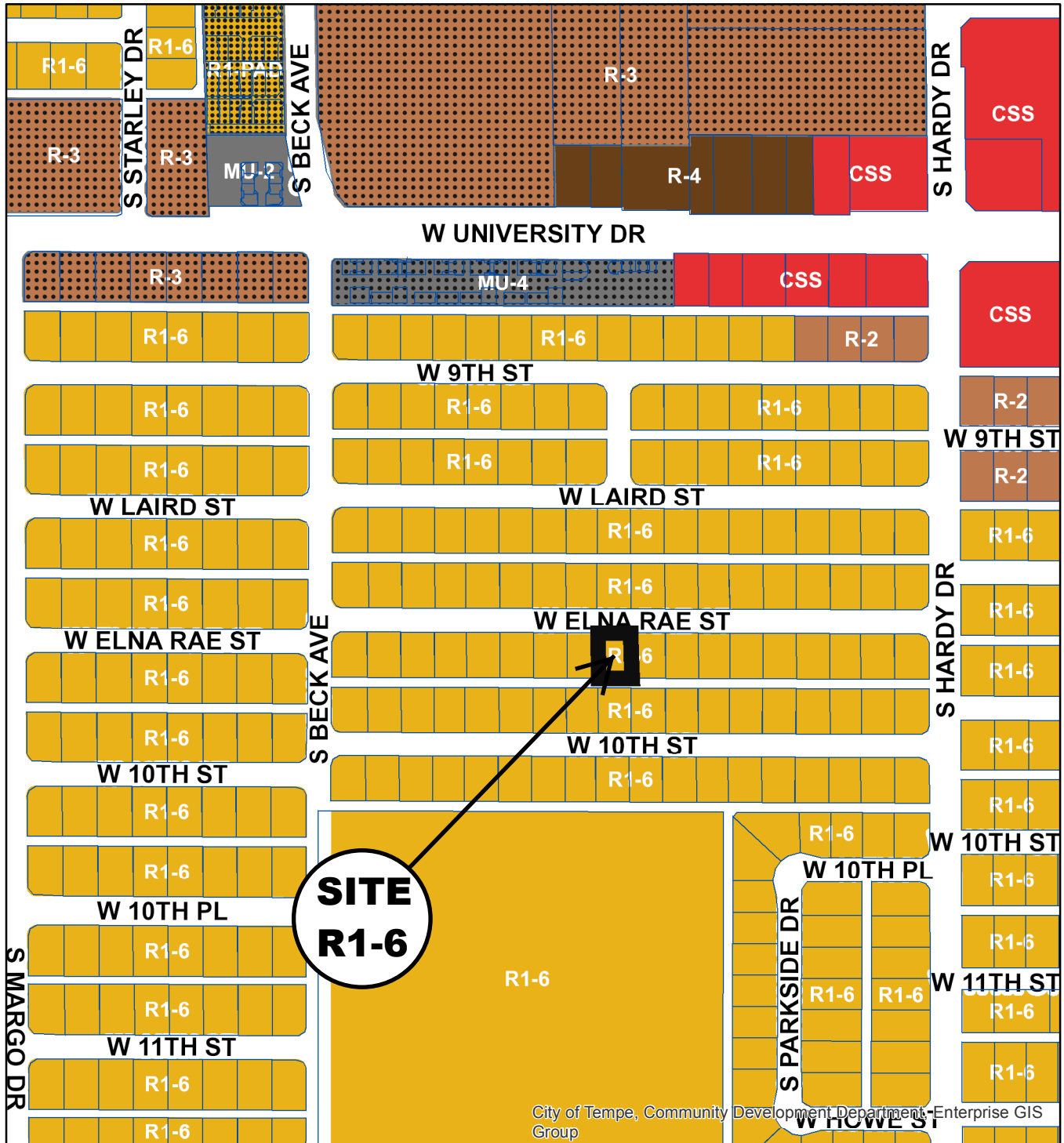
DEVELOPMENT PROJECT FILE
for
STORM PROPERTY
(PL190240)

ATTACHMENTS:



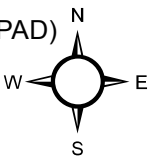






1. Location Map
2. Aerial Map
3. Letter of Appeal dated September 2, 2019
- 4-5. Approved minutes of the August 20, 2019 Hearing Officer
- 6-21. Staff report from the August 20, 2019 Hearing Officer (in original order and pagination)

Storm Property

PL 190240

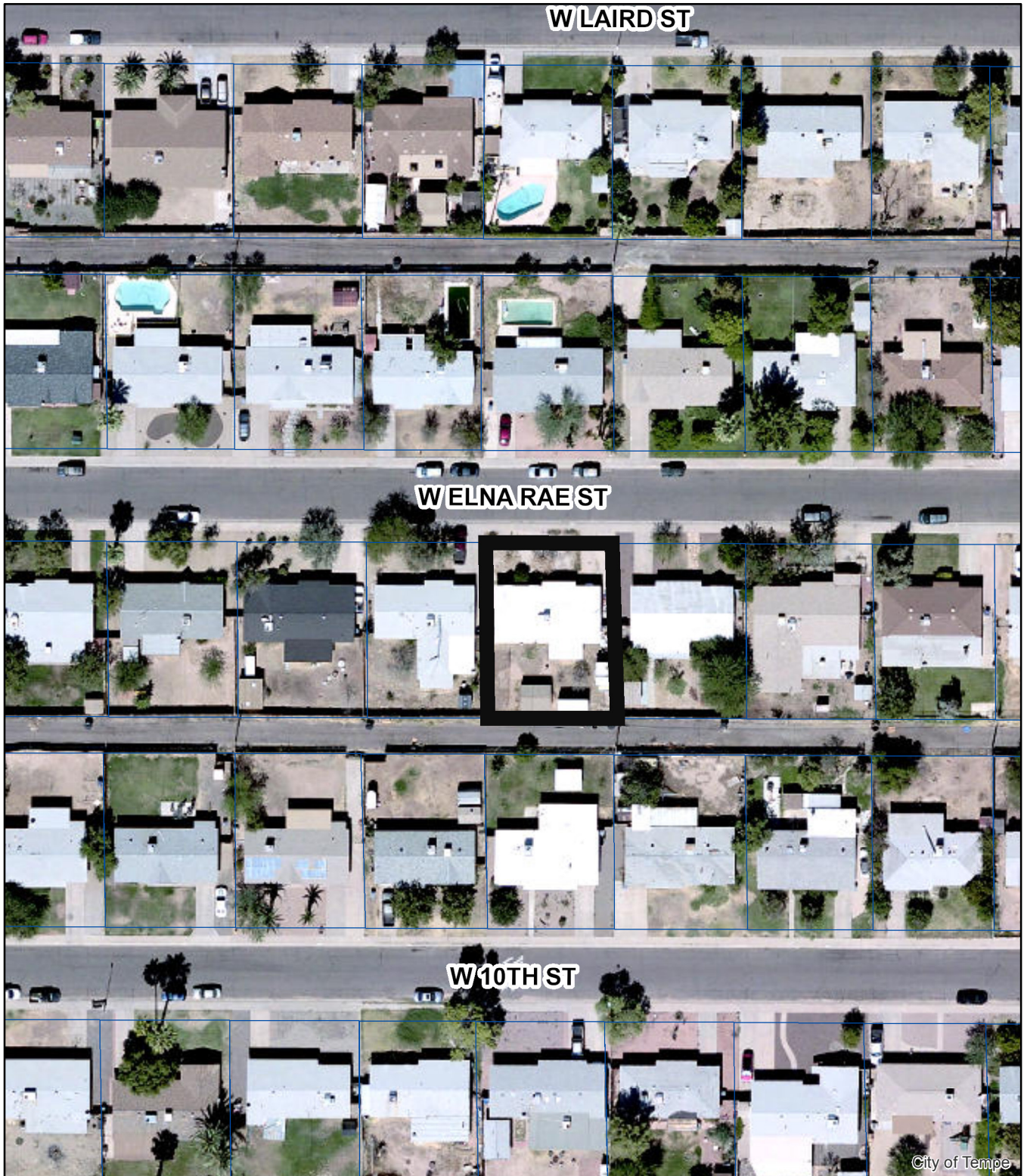


City of Tempe, Community Development Department - Enterprise GIS Group

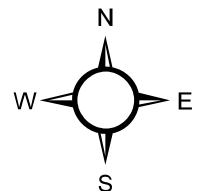
- | | | |
|--|---|---|
|  Mixed Use Med (MU-2) |  Single-Family Residential Planned Area Dev (R1-PAD) |  |
|  Mixed Use High (MU-4) |  Multi-Family Residential (R-2) | |
|  Commercial Shopping and Services (CSS) |  Multi-Family Residential Limited (R-3) | |
|  Single-Family Residential (R1-6) |  Multi-Family Residential General (R-4) | |

Storm Property

PL 190240



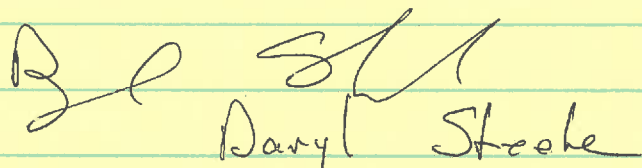
Aerial Map



To Whom it may concern

I wish to appeal an order of
abatement against the property at
1105 W. Elva Ave St Tempe AZ
85281 before the Board of
Adjustment.

Thank you for your time
and consideration on this matter


Daryl Steele

2 Sept 2019

8/20 HO

MINUTES HEARING OFFICER August 20, 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 was one (1) interested citizen present at the regular session.

Meeting convened at 5:00 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 August 20, 2019 at 3:00 PM, to the Community Development Department.

1. The following was noted:

• **Agenda Item No. 1**

August 6, 2019 Hearing Officer Minutes

Vanessa MacDonald, Hearing Officer, stated the August 6, 2019 Hearing Officer Minutes had been reviewed and were approved.

2. Request abatement of public nuisance items at the STORM PROPERTY located at 1105 W. Elna Rae Street. The applicant is the City of Tempe (CE191569).

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

- Requested a 180-day open abatement of this property for grass and weeds in gravel landscape.
- On March 5, 2019, a complaint was submitted through Code Compliance for junk and debris, furniture, buckets, and containers in carport, and grass and weeds in gravel landscape.
- Notices were sent and posted to property.
- As of August 20, 2019, Inspector Lara-Reyes noticed major improvements to the property. Though the remainder of the grass and weeds need to be brought up to code.

Daryl Steele, grandson of property owner, spoke on this case:

- Stated that he did not see any weeds in gravel landscape that was presented by Inspector Lara-Reyes.
- Mr. Steele spoke about the appeal process and abatements of this property in the past.
- Mr. Steele claims that Inspector Lara-Reyes was trespassing.
- He stated that two (2) inches of grass is allowed in the gravel by code.
- Code Compliance Administrator, Jeff Tamulevich, stated that grass or weeds, no matter what height, is not allowed in gravel.
- Mr. Steele presented a 30-day violation notice dated back in July 10, 2019 for mediation. Hearing Officer MacDonald assessed the notice and clarified that he has had over 30 days. Steele said he has not received the prior notices because he does not live at the property and the government is paying this property's taxes. He also indicated that he does not own this property.
- Mr. Steele requested a two (2) week extension, Hearing Officer MacDonald reminded him that he has fourteen (14) calendar days to remedy the property which would be the same as a two (2) week extension.

Hearing Officer MacDonald approved the 180-day abatement.

ANNOUNCEMENTS

- Hearing Officer, Vanessa MacDonald, announced that the next hearing officer will take place on September 3, 2019.

With no further business, the public hearing adjourned at 5:24 PM.

Prepared by: Shelbie Meyer
Reviewed by: Jeff Tamulevich

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

JT: sm

**CITY OF TEMPE
HEARING OFFICER**

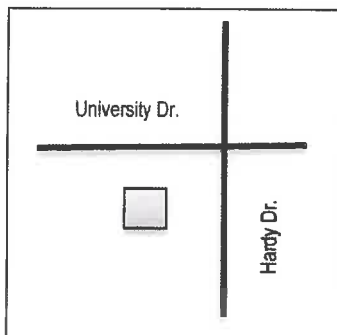
**Meeting Date: 8/20/2019
Agenda Item: 2**

ACTION: Request approval to abate public nuisance items at the Storm Property located at 1105 W. Elna Rae Street. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$596.00 for abatement request, remove all litter, debris, furniture, vehicle ramps, and household items in front and side yards, remove grass and weeds from gravel landscape areas.

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 STORM 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 CE191569: remove all litter, debris, furniture, vehicle ramps, and household items in front and side yards, remove grass and weeds from gravel landscape areas.



Property Owner	Storm Family Trust No. JSL-1
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single 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 Storm Property located at 1105 W. Elna Rae Street, in the R1-6, Single Family Residential district. This case was initiated 03/06/2019, after which Code Compliance has attempted to obtain compliance through correspondence with the property owner regarding violations of the Tempe City Code.

Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve a 180 day open abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

HISTORY & FACTS:

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

ABATEMENT

Planning Application

Part 1 of 2

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



All applications must be accompanied by the required plans, submittal materials, and correct fee(s)

PROJECT INFORMATION - REQUIRED			
PROJECT NAME	STORM FAMILY TRUST NO JSL-1 C/O JOE & SUSAN STORM	EXISTING ZONING	R1-6 <input type="checkbox"/>
PROJECT ADDRESS	1105 W ELNA RAE ST, TEMPE, AZ 85281	SUITE(S)	CE191569 <input type="checkbox"/>
PROJECT DESCRIPTION	TRASH, LITTER, DEBRIS; GRASS & WEEDS OVER GRAVEL HEARING DATE: AUGUST 20, 2019	PARCEL No(s)	12461051 <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)			
BUSINESS NAME	STORM FAMILY TRUST NO JSL-1	ADDRESS	1105 W ELNA RAE ST, TEMPE, AZ 85281
CONTACT NAME	C/O JOE & SUSAN STORM	CITY	STATE AZ ZIP
EMAIL		PHONE 1	PHONE 2

I hereby authorize the applicant below to process this application with the City of Tempe.

PROPERTY OWNER SIGNATURE	X	DATE	
or attach written statement authorizing the applicant to file the application(s)			

APPLICANT INFORMATION - REQUIRED			
COMPANY / FIRM NAME	CITY OF TEMPE	ADDRESS	
CONTACT NAME	ANDRES LARA-REYES	CITY	STATE ZIP
EMAIL		PHONE 1 (480) 350-8963	PHONE 2

I hereby attest that this application is accurate and the submitted documents are complete. I acknowledge that if the application is deemed to be incomplete it will be returned to me without review, to be resubmitted with any missing information.

APPLICANT SIGNATURE	X	DATE	7/10/2019
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BUSINESS INFORMATION - REQUIRED FOR USE PERMITS & SIGN DPRs			
BUSINESS NAME		ADDRESS	
CONTACT NAME		CITY	STATE ZIP
TYPE OF BUSINESS		PHONE	EMAIL

APPLICATION (check all that apply)	QTY	SPECIFIC REQUEST (see for types)	FOR CITY USE ONLY (planning record tracking numbers)	
<input type="checkbox"/> A. PRELIMINARY SITE PLAN REVIEW			SPR	
<input type="checkbox"/> B. ADMINISTRATIVE APPLICATIONS			ADM	
<input type="checkbox"/> C. VARIANCES			VAR	
<input type="checkbox"/> D. USE PERMITS / USE PERMIT STANDARDS			ZUP	
<input type="checkbox"/> E. ZONING CODE AMENDMENTS			ZOA	ZON
<input type="checkbox"/> F. PLANNED AREA DEVELOPMENT OVERLAYS			PAD	REC
<input type="checkbox"/> G. SUBDIVISIONS / CONDOMINIUMS			SBD	REC
<input type="checkbox"/> H. DEVELOPMENT PLAN REVIEW			DPR	
<input type="checkbox"/> I. APPEALS				
<input type="checkbox"/> J. GENERAL PLAN AMENDMENTS			GPA	
<input type="checkbox"/> K. ZONING VERIFICATION LETTERS			ZVL	
<input checked="" type="checkbox"/> L. ABATEMENTS			CE	CM
TOTAL NUMBER OF APPLICATIONS	0			

FOR CITY USE ONLY			
DS TRACKING #	FILE THIS APPLICATION WITH CE / CM TRACKING #	DATE RECEIVED (STAMP)	VALIDATION OF PAYMENT (STAMP)
PL TRACKING #			
SPR TRACKING # (If 2 nd or 3 rd submittal, use planning resubmittal form)			TOTAL APPLICATION FEES
			RECEIVED BY INTAKE STAFF (INITIALS)

SEE REVERSE SIDE FOR REQUIRED PROJECT DATA

DATE: 07/10/2019
TO: Jeff Tamulevich, Code Compliance Administrator
FROM: Andres Lara-Reyes
SUBJECT: Request to Authorize for Abatement– Reference Complaint # CE191569

LOCATION: 1105 W ELNA RAE ST, TEMPE, AZ 85281
LEGAL: Parcel #12461051, as recorded with the Maricopa County Assessor
OWNER: STORM FAMILY TRUST NO JSL-1
C/O JOE & SUSAN STORM
1105 W ELNA RAE ST
TEMPE, AZ 85281

FINDINGS:

1105 W ELNA RAE ST is currently in violation of City of Tempe's Nuisance Code in regard to trash, litter, debris, plastic crates, buckets, boxes, furniture, water jug containers in the carport and side yard areas. Grass and weeds over gravel in the front yard.

The property has been in violation since 03/05/2019 with the initial violation being trash, litter, debris, plastic crates, buckets, boxes, furniture, water jug containers in the carport and side yard areas. Grass and weeds over gravel in the front yard. There has been no response from the owner of the property and no mail has been returned.

The owners STORM FAMILY TRUST NO JSL-1 C/O JOE & SUSAN STORM were issued three (3) correction notices to correct the violations. The violations remain unresolved as of this date. Notice of intent to abate was mailed and posted to the owner's property.

RECOMMENDATIONS:

STORM FAMILY TRUST NO JSL-1 C/O JOE & SUSAN STORM have not attempt to remedy the violations upon the property at 1105 W ELNA RAE ST. Since there has been no 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 STORM FAMILY TRUST NO JSL-1 C/O JOE & SUSAN STORM have not given any indication that they plan on correcting the violation and maintaining the property.

Respectfully submitted,
Andres Lara-Reyes

ACTION TAKEN: Submitt

NAME: [Signature]

DATE: 7 10 19



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

Date: 07/10/2019
Case #: CE191569

**STORM FAMILY TRUST NO JSL-1
C/O JOE & SUSAN STORM
1105 W ELNA RAE 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:

Location: 1105 W ELNA RAE ST TEMPE, AZ 85281
Parcel: 12461051

This office will submit this complaint to the Community Development Abatement Hearing Officer to be placed on the Hearing Officer agenda of August 20, 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.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;

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.1 Please remove all litter, debris, furniture, vehicle ramp(s) and any household items in the carport and side yard areas.
- CC 21-3.b.8 Please remove all grass and weeds over gravel in the front yard landscape area.

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 \$596.00. 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)350-4311.

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

HAMANN ENTERPRISES, LLC

2925 N 19TH AVE UNIT 97

PHOENIX, AZ 85015

(602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: ANDRES LARA-REYES

FIRM: CITY OF TEMPE

DATE: 7/3/19

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # T18-011-03

ADDRESS: 1105 E ELNA RAE

1 WEEDS AND DEBRIS IN FRONT YARD	\$300.00
2 ESTAMATED DUMP FEES	\$20.00
3 SECURITY BY TEMPE PD	\$276.00
4	\$0.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	<hr/> \$596.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN

124-61-051 Residential Parcel

This is a residential parcel located at 1105 W ELNA RAE ST TEMPE 85281, and the current owner is STORM FAMILY TRUST NO JSL-1. It is located in the Western Village 3 subdivision and MCR 8541. Its current year full cash value is \$198,000.

Property Information**1105 W ELNA RAE ST TEMPE 85281**

MCR #	<u>8541</u>
Description:	WESTERN VILLAGE UNIT 3
Lat/Long	<u>33.41967450 -111.95445150</u>
Lot Size	6,582 sq ft.
Zoning	R1-6
Lot #	118
High School District	TEMPE UNION #213
Elementary School District	TEMPE ELEMENTARY SCHOOL DISTRICT
Local Jurisdiction	TEMPE
S/T/R	21 1N 4E
Market Area/Neighborhood	02/004
Subdivision (18 Parcels)	<u>WESTERN VILLAGE 3</u>

Owner Information**STORM FAMILY TRUST NO JSL-1**

Mailing Address	1105 W ELNA RAE ST, TEMPE, AZ 85281-0000
In Care Of	C/O JOE & SUSAN STORM
Deed Number	<u>970413228</u>
Last Deed Date	06/19/1997
Sale Date	n/a
Sale Price	n/a



Maricopa County Treasurer's Office

Royce T. Flora, Treasurer

Tax Summary 124-61-051 1

Current Mailing Name & Address

STORM FAMILY TRUST NO JSL-1
1105 W ELNA RAE ST
TEMPE, AZ 85281-5368

Property (Situs) Address

1105 W ELNA RAE ST
TEMPE, AZ 85281

2018 Tax Due

Assessed Tax:	\$1,088.38	Tax Paid:	\$1,088.38	Total Due:	\$0.00
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[View 2018 Tax Details](#)

[Create Stub](#)

[View Additional Tax Years](#)

Total Amount Due

Total Amount Due: \$0.00

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 **Control Central** Clear Refresh

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

Current Context











Person 

Account ID 





Premise  1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368

SA Premise List

Premise Information

 Premise Information	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368
 CIS Division	City of Tempe
 SRP Code	Member
 Solid Waste Service Location	Alley Service
 Taxing City	City of Tempe
 Service Point Information	Water Single-family Residential/Water - Block 1 Fixed Network
 Meter Configuration	Water - 5/8 " Meter, 15181902, Eff 08-03-2017 11:02AM , Sin
 Last Meter Read	06-12-2019 04:00PM
 Next Meter Read	07-15-2019 (Water - Block 1 Fixed Network)
 Service Point Information	Solid Waste Residential/Monday Trash Thursday Recycle/1105

Field Activity Information

Schedule Date/Time Start	Field Activity Information
 05-14-2019 12:00AM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368,Water Single-family Residential, S
 07-13-2017 12:00AM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368,Water Single-family Residential, C
 03-11-2016 03:11PM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368,Water Single-family Residential, C
 11-03-2015 12:00AM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368,Water Single-family Residential, S

Account Financial History

Billed Consumption

Main Account Information Customer Information Account Tree Bill Payment Tree Play Plan Tree

Current Context

Person Account ID 1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368

Premise 1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368

SA Premise List Credit and Collection Info

Premise Information	
Premise Information	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368
CIS Division	City of Tempe
SP Code	Member
Solid Waste Service Location	Alley Service
Tracing City	City of Tempe
Service Point Information	Water Single-family Residential/Water - Block 1 Fixed Network/Water Route 13/1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368
Meter Configuration	Water - 5/8" Meter, 15181902, EFT 08-03-2017 11:02AM, Single Dial Water, 1 register
Last Meter Read	06-12-2019 04:00PM
Next Meter Read	07-15-2019 (Water - Block 1 Fixed Network)
Service Point Information	Solid Waste Residential/Monday Trash Thursday Recycle/1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368

Field Activity Information

Schedule Date/Time Start	Field Activity Information
05-14-2019 12:00AM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368, Water Single-family Residential, Start/Stop Service Request, Meter Stop Service Turn Off, Completed, Scheduled 05-14-2019 12:00AM
07-13-2017 12:00AM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368, Water Single-family Residential, On-line User, AMI Meter Change Out, Completed, Scheduled 07-13-2017 12:00AM
09-11-2016 03:11PM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368, Water Single-family Residential, On-line User, Meter Change Due to Preventive, Completed, Scheduled 03-11-2016 03:11PM
11-03-2015 12:00AM	1105 W ELNA RAE ST, TEMPE, AZ, 85281-5368, Water Single-family Residential, Start/Stop Service Request, Meter Start Read Only, Completed, Scheduled 11-03-2015 12:00AM

Account Financial History

Blifed Consumption



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
CORRECTION NOTICE

03/06/2019

SUSAN STORM
C/O DARYL STEELE
1105 W ELNA RAE ST
TEMPE, AZ 85281

Case #: CE191569
Site Address: 1105 W ELNA RAE ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 03/06/2019 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	SITE REINSP ON OR AFTER
CC 21-3.b.8	Landscaping that is substantially dead, damaged or characterized by uncontrolled growth or presents a deteriorated or slum-like appearance;	
PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		
CC 21-3.b.8	Please remove all grass and weeds over gravel in the front yard landscape area.	04/05/2019
CC 21-3.b.8	Please cut all over height grass and weeds in the back yard area.	04/05/2019

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, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

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).



COMMUNITY DEVELOPMENT DEPARTMENT
 CODE COMPLIANCE
 CORRECTION NOTICE

04/05/2019

SUSAN STORM
 C/O DARYL STEELE
 1105 W ELNA RAE ST
 TEMPE, AZ 85281

Case #: CE191569
 Site Address: 1105 W ELNA RAE ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 04/05/2019 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;
CC 21-4.2.a	Any wood surfaces unprotected from the elements by paint or other protective treatment, except those naturally resistant to decay;
CC 21-4.2.b	Exterior painted surfaces with loose, cracked, scaling, chipping or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance;
CC 21-4.2.d	Replacement materials and paint used to repair or repaint exterior surfaces of a building shall be visually compatible with the remainder of the materials and paint on the exterior of the structure.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all litter, debris, furniture, vehicle ramp(s) and any household items in the carport and side yard areas.	05/06/2019
CC 21-3.b.8	Please remove the remaining grass and weeds over gravel in the front yard landscape area.	05/06/2019
CC 21-3.b.8	Please cut all over height grass and weeds in the back yard area.	05/06/2019
CC 21-4.2.a,b,d	Please repair and repaint the front elevation of the home with visually compatible materials and paint to match the rest of the exterior of the home.	05/06/2019

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).

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, 17-19 and 21; Sections 21-4; 21-13; Section 21-24; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$200 per violation, 2nd occurrence \$300 per violation, 3rd occurrence \$400 per violation | Sections 21-31; 21-32; 21-33; 21-35; 21-36: 1st occurrence \$300 per violation, 2nd occurrence \$500 per violation, 3rd occurrence \$700 per violation | Section 21-3, subsections (b) 9-16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$400 per violation, 2nd occurrence \$700 per violation, 3rd occurrence \$1,000 per violation. | Section 21-4 (b) Habitual Offender: 1st occurrence \$550 in addition to other fines, 2nd occurrence \$1,050 in addition to other fines, 3rd occurrence, \$1,550 in addition to other fines. | Section 21-25: \$1,050 per violation. | Zoning and Development Code: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.



COMMUNITY DEVELOPMENT DEPARTMENT
 CODE COMPLIANCE
 FINAL CORRECTION NOTICE

05/08/2019

SUSAN STORM
 C/O DARYL STEELE
 1105 W ELNA RAE ST
 TEMPE, AZ 85281

Case #: CE191569
 Site Address: 1105 W ELNA RAE ST, TEMPE, AZ 85281

This is a notice to inform you that this site was inspected on 05/08/2019 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;
CC 21-4.2.a	Any wood surfaces unprotected from the elements by paint or other protective treatment, except those naturally resistant to decay;
CC 21-4.2.b	Exterior painted surfaces with loose, cracked, scaling, chipping or peeling paint, visible from a public area, in such amounts as to present a deteriorated or slum-like appearance;
CC 21-4.2.d	Replacement materials and paint used to repair or repaint exterior surfaces of a building shall be visually compatible with the remainder of the materials and paint on the exterior of the structure.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION		SITE REINSP ON OR AFTER
CC 21-3.b.1	Please remove all litter, debris, furniture, vehicle ramp(s) and any household items in the carport and side yard areas.	05/22/2019
CC 21-3.b.8	Please remove the remaining grass and weeds over gravel in the front yard landscape area.	05/22/2019
CC 21-4.2.a,b,d	Please repair and repaint the front elevation of the home with visually compatible materials and paint to match the rest of the exterior of the home.	05/22/2019

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).

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

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