
**CITY OF TEMPE
HEARING OFFICER**

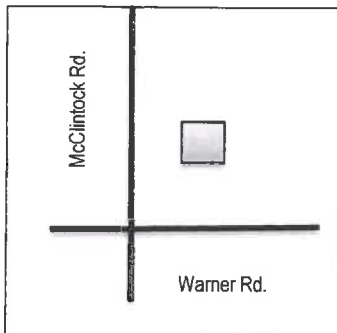
**Meeting Date: 06/02/2020
Agenda Item: 11**

ACTION: Request approval to abate public nuisance items at the Webb Property located at 8630 S. Hazelton Lane. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$1140.00 for abatement request: Back yard landscape cleanup, beehive removal.

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 WEBB 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 CE202012: Back yard landscape cleanup, beehive removal.



Property Owner: Alfred Webb
Applicant: City of Tempe – Code Compliance
Zoning District: R1-7, Single Family Residential
Code Compliance Inspector: Brandy Zedlar, 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 Webb Property located at 8630 S. Hazelton Lane, in the R1-7, Single Family Residential district. This case was initiated 03/05/20, 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	Webb Abatement	EXISTING ZONING	<input type="checkbox"/>
PROJECT ADDRESS	8630 S Hazelton Ln., Tempe, AZ 85284	SUITE(S)	<input type="checkbox"/>
PROJECT DESCRIPTION	Abatement to include: Landscape clean-up in the front and back yard and removal of two bee hives. Hearing date: June 2, 2020 - CE202012	PARCEL No(s)	308-01-252 <input type="checkbox"/>

PROPERTY OWNER INFORMATION - REQUIRED (EXCEPT PRELIMINARY SITE PLAN REVIEW)			
BUSINESS NAME		ADDRESS	8630 S. Hazelton Ln
CONTACT NAME	Alfred Webb	CITY	Tempe 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
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APPLICANT INFORMATION - REQUIRED			
COMPANY / FIRM NAME	City of Tempe - Code Compliance	ADDRESS	
CONTACT NAME	Brandy Zedlar	CITY	STATE ZIP
EMAIL		PHONE 1 (480) 350-8623	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	5/17/20
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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 planning & zoning fee schedule 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)
PL TRACKING #			VALIDATION OF PAYMENT (STAMP)
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: 5/07/20
TO: Jeff Tamulevich, Code Administrator
FROM: Brandy Zedlar
SUBJECT: Request to Authorize for Abatement– Reference Complaint #CE202012

LOCATION: 8630 S. Hazelton Ln., Tempe, AZ 85284
LEGAL: Parcel #308-01-252 as recorded with the Maricopa County Assessor
OWNER: ALFRED WEBB
8630 S HAZELTON LN
TEMPE, AZ 85284

FINDINGS:

03/05/20 – The Code Compliance Division received a complaint regarding deteriorated landscape and beehives.

03/23/20 - The property was inspected and found to have over height weeds/grass in the back yard and a beehive in the roof eaves in the back yard and around the front door. Due to repeat offense, final notice was mailed to Mr. Webb and posted to the property.

04/29/20 – Received a bid from Bob Hamann to cleanup the landscape and remove the beehives for \$1,140.00

05/07/20 – The property was inspected and found no improvement to property violations. Code Compliance filed for Abatement with a hearing date of 6/02/20.

RECOMMENDATIONS:

I recommend the approval for abatement at 8630 S. Hazelton Ln., which is owned Mr. Alfred Webb. Mr. Webb has been given ample time and opportunities to bring his property into compliance and has failed to take any corrective action. Since Mr. Webb is unable to maintain his property, I am requesting approval for continuous abatements in the next 180 days if deemed necessary. There has been no indication from Mr. Webb that he plans to correct and maintain his property.

Respectfully submitted,
Brandy Zedlar

ACTION TAKEN:

NAME:

DATE:

Submit
[Signature]
5 7 20

HAMANN ENTERPRISES, LLC

2925 N 19TH AVE UNIT 97

PHOENIX, AZ 85015

(602) 575-4455

hamannenterprises@yahoo.com

THE FOLLOWING DOCUMENT IS FOR:

NAME: BRANDY ZEDLAR

FIRM: CITY OF TEMPE

DATE: 4/29/20

PROPOSAL

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

ADDRESS: 8630 S HAZELTON LN

1 LANDSCAPE BACK YARD	\$800.00
2 ESTAMATED DUMP FEES	\$40.00
3 REMOVAL OF 2 BEE HIVES 3RD PARTY	\$300.00
4	\$0.00
5	\$0.00
6	\$0.00
TOTAL COST OF JOB	<hr/> \$1,140.00

THANK YOU FOR YOUR BUSINESS

BOB HAMANN

308-01-252 Residential Parcel

This is a residential parcel located at [8630 S HAZELTON LN TEMPE 85284](#), and the current owner is WEBB ALFRED. It is located in the Estate La Colina Unit 4 subdivision and MCR 26933. Its current year full cash value is \$361,600.

Property Information

[8630 S HAZELTON LN TEMPE 85284](#)

MCR #	26933
Description:	ESTATE LA COLINA UNIT 4 MCR 269-33
Lat/Long	33.33694500 -111.90451950
Lot Size	10,825 sq ft.
Zoning	R1-7
Lot #	244
High School District	TEMPE UNION #213
Elementary School District	KYRENE ELEMENTARY SCHOOL DISTRICT
Local Jurisdiction	TEMPE
S/T/R	13 1S 4E
Market Area/Neighborhood	02/007
Subdivision (151 Parcels)	ESTATE LA COLINA UNIT 4

Owner Information

[WEBB ALFRED](#)

Mailing Address	8630 S HAZELTON LANE, TEMPE, AZ 85284-0000
Deed Number	910454486
Last Deed Date	09/27/1991
Sale Date	n/a
Sale Price	n/a



City of Tempe
P. O. Box 5002
Tempe, AZ 85280
www.tempe.gov
(480) 350-4311

Code Compliance Division

NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: May 1, 2020

TO: ALFRED WEB
8630 S HAZELTON LN
TEMPE, AZ 85284

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

LEGAL: Parcel #301-01-252, as recorded with the Maricopa County Assessor.

LOCATION 8630 S Hazelton Ln., Tempe, AZ 85284

This office will submit this complaint to the Abatement Hearing Officer to be placed on the Hearing Officer agenda of **June 2, 2020**. 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-20 and TCC-21-3-b-8 which would include the following: landscape clean-up in the front and back yard and removing all bee hives on the property.

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 \$ **1,140.00** 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) 350-4311.

Code Enforcement Officer: Brandy Zedlar

Phone Number 480-350-8623



COMMUNITY DEVELOPMENT DEPARTMENT
CODE COMPLIANCE
FINAL CORRECTION NOTICE

3-23-2020

**ALFRED WEBB
8630 S HAZELTON LN
TEMPE, AZ 85284**

Case#: CE202012
Site Address: 8630 S HAZELTON LN

SITE REINSPECTION ON OR AFTER: 4/22/20

This is a notice to inform you that this site was inspected on **3/18/20** 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.

VIOLATION SECTION:

Violation of the Tempe City Code, Chapter 21-3-b-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated or slum-like appearance; uncultivated plants, weeds, tall grass, uncultivated shrubs or growth (whether growing or otherwise) higher than twelve (12) inches; or any dead trees, bushes, shrubs or portions thereof, including stumps; or any palm or similar type tree having dead or dry fronds descending downward from the base of the lowest living frond more than eight (8) feet or dry fronds longer than five (5) feet and closer than eight (8) feet to the ground.

Violation of the Tempe City Code, Chapter 21-3-b-20

To leave or permit to remain on any property, areas infested with insects or rodents including, but not limited to: bees, wasps, hornets, yellow jackets, mice, rats, or roaches, in an amount that may become a hazard to public health or safety.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION

1. Trim the over height weeds/grass in the back yard.
2. Remove the bees and beehive from the roof eaves on the north side of the back yard.

*****If the above required corrections are not satisfied by 4/22/20, the City of Tempe will abate placing a lien on the property for the clean-up costs.**

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

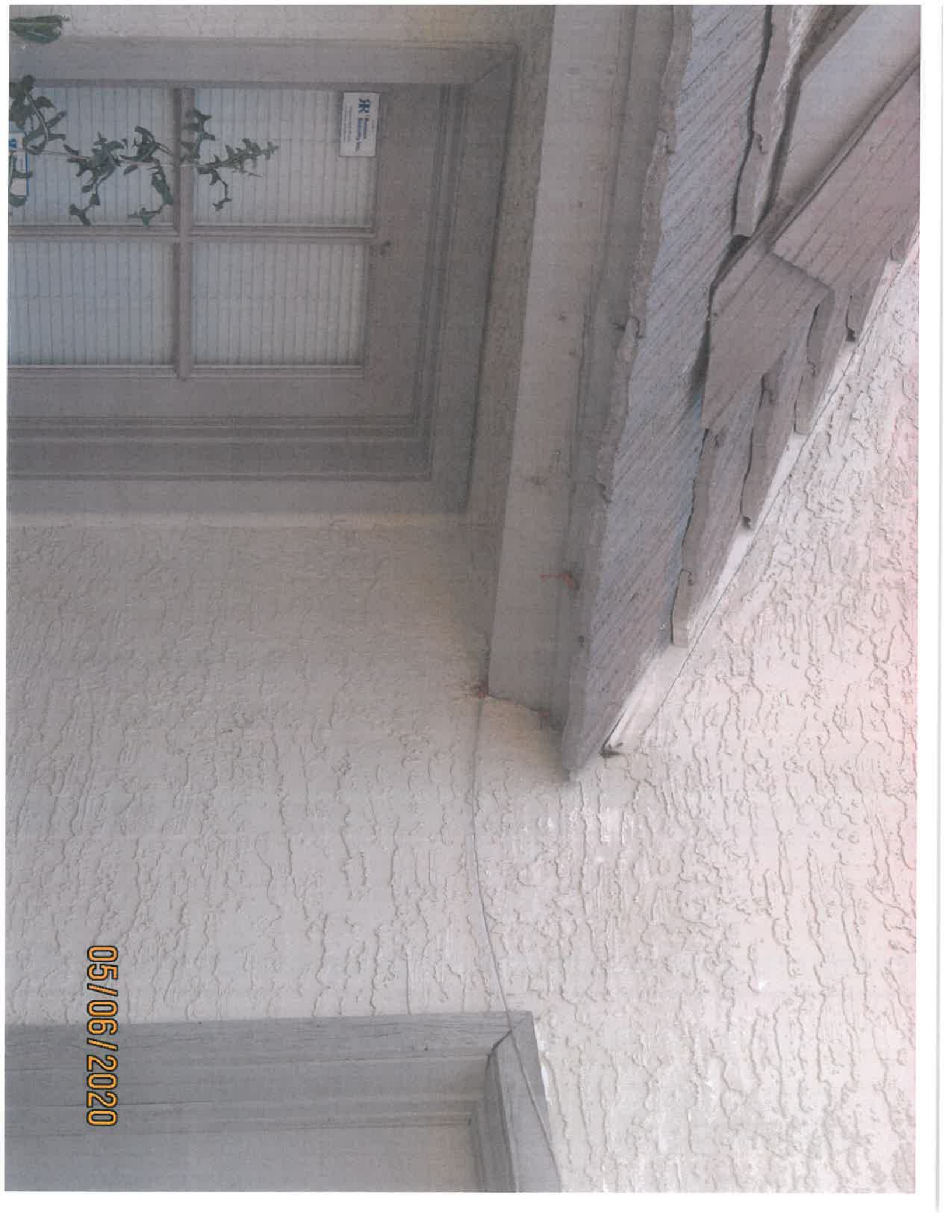
**Brandy Zedlar
Code Inspector II
email**

**Direct: 480-350-8623
Code Compliance: 480-350-8372
brandy_zedlar@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, 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.



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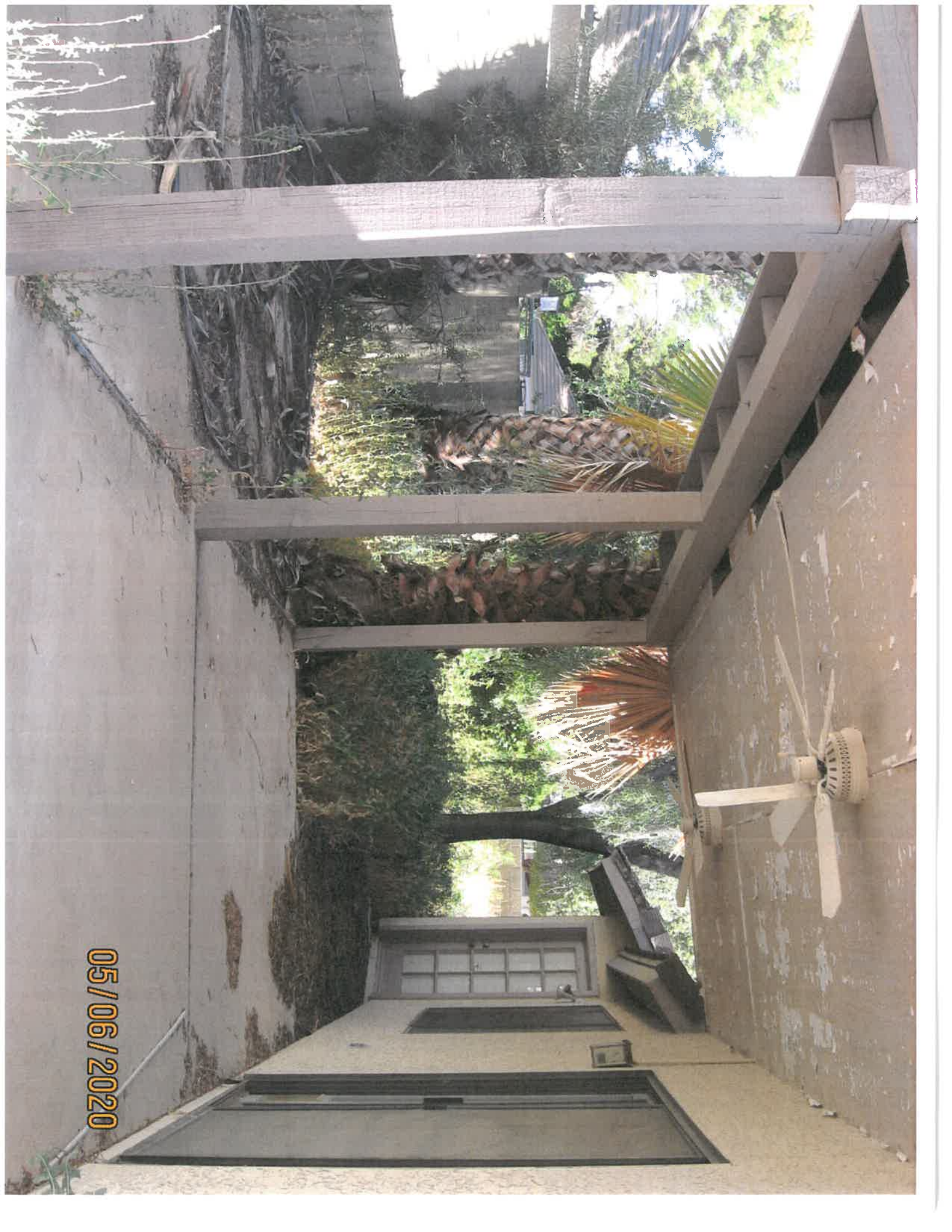
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