

**CITY OF TEMPE  
HEARING OFFICER**

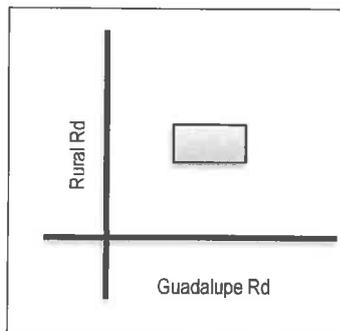
**Meeting Date: 07/21/2021  
Agenda Item: 4**

**ACTION:** Request approval to abate public nuisance items at the Levecke Property located at 1046 E Magdalena Drive. The applicant is the City of Tempe – Code Compliance.

**FISCAL IMPACT:** \$2,257.56 for abatement request, including the clean-up and removal of all dead vegetation/trees located in front yard, side yard, and back yards, and trimming of trees to eliminate any obstruction of sidewalk, Security on site.

**RECOMMENDATION:** Staff – Approval

**BACKGROUND INFORMATION:** City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the LEVECKE PROPERTY (CE206009). 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 CE206009: dead trees, dead vegetation, over height grass/weeds, junk/debris/trash, and obstruction of sidewalk. The request includes the following:



Property Owner	Margaret Levecke
Applicant	City of Tempe – Code Compliance
Zoning District:	R1-6, Single Family Residential District
Code Compliance Inspector:	Brandy Zedlar, Code Inspector

**ATTACHMENTS:** Supporting Attachment

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

Department Director: Shelly Seyler, Interim Community Development Director  
Prepared by: Shelbie Meyer, Administrative Assistant  
Reviewed by: Drew Yocom, Planning and Research Analyst

**COMMENTS:**

Code Compliance is requesting approval to abate the Levecke Property located at 1046 E Magdalena Drive in the R1-6, Single Family Residential District. This case was initiated 09/25/2020 following 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 the 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



**DATE:** 6/17/21  
**TO:** Jeff Tamulevich, Code Administrator  
**FROM:** Brandy Zedlar  
**SUBJECT:** Request to Authorize for Abatement– Reference Complaint #CE206009

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**LOCATION:** 1046 E MAGDALENA DR., TEMPE, AZ 85283  
**LEGAL:** Parcel #301-91-036 as recorded with the Maricopa County Assessor  
**OWNER:** Margaret Levecke  
700 N Helena St  
Anaheim, CA 92805

**FINDINGS:**

09/21/20 – Code Compliance conducted an inspection and found dead vegetation and over height weeds in the front, side, and back yard areas. There are also sidewalk obstructions in both side yards from overgrown vegetation. First notice to comply was mailed to Ms. Levecke.

11/08/20 – The property was inspected and found no improvement. Final notice was mailed to Ms. Levecke.

12/30/20 – The property was inspected and found no improvement. A voicemail was left for Ms. Levecke to contact me regarding the property violations to avoid the abatement process.

2/18/21 – I received a voicemail message from Ms. Levecke stating she is in lockdown in California and has been battling covid and is unable to make it to Arizona to clean-up the property. She advised me that she had contacted a landscape company and they are scheduled to have the property cleaned by 3/4/21.

5/13/21 – The property was inspected and found no improvement. I left Margaret a second voicemail stating if she didn't have her property cleaned by 5/19/21, I would start the abatement process and there would be no further phone calls.

6/07/21 – Received a bid from East Valley Disaster Services for \$2,257.56 to clean-up the landscape.

06/17/21 – The property was inspected with no change to its condition. Code Compliance filed for an Abatement with a hearing date of 7/21/21.

**RECOMMENDATIONS:**

I recommend the approval for abatement at 1046 E. Magdalena Dr., which is owned by Ms. Margaret Levecke. Ms. Levecke has been given ample time and opportunities to bring her property into compliance and has failed to take any corrective action. Since Ms. Levecke is unable to maintain her property, I am requesting approval for continuous abatements in the next 180 days if deemed necessary. There has been no indication from Ms. Levecke that she plans to correct and maintain her property.

Respectfully submitted,  
Brandy Zedlar

ACTION TAKEN:

NAME:

DATE:

*Submitted*  
*[Signature]*  
6/17/21



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: June 17, 2021

TO: MARGARET LEVECKE  
700 N HELENA ST  
ANAHEIM, CA 92805

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

LEGAL: Parcel #301-91-036, as recorded with the Maricopa County Assessor.

LOCATION 1046 E Magdalena Dr., Tempe, AZ 85283

This office will submit this complaint to the Abatement Hearing Officer to be placed on the Hearing Officer agenda of **July 21, 2021**. 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-8, TCC-21-3-B-7 which would include the following: Cleaning up the landscape in the front and back yard and removing all dead vegetation, eliminating any sidewalk obstruction.

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 **\$ 2,257.56** 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



**East Valley Disaster Services**

East Valley Disaster Services, Inc.  
257 W. Broadway  
Mesa, AZ 85210  
(480) 833-4538 (Office & 24 Hour Emergency)  
Info@evds.co  
EIN: 86-0721883 / ROC: B License #097838

**21-1448-NUISANCE**

**Nuisance Abatement Services**

**Exterior**

DESCRIPTION	QTY	REMOVE	REPLACE	TAX	TOTAL
1. Nuisance Abatement Services	1.00 EA	0.00	2,185.00	72.56	2,257.56
<b>NOTE: Abatement services includes;</b>					
1) Remove, haul off and disposal of all dead vegetation from front yard, side yard and back yard.					
2) Clean up the landscape in the front and side yard.					
3) Trim back the tree in the west side yard eliminating any sidewalk obstruction.					
Totals: Exterior				72.56	2,257.56
Total: Nuisance Abatement Services				72.56	2,257.56
<b>Line Item Totals: 21-1448-NUISANCE</b>				<b>72.56</b>	<b>2,257.56</b>



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### Summary

Line Item Total	2,185.00
Material Sales Tax	72.56
<b>Replacement Cost Value</b>	<b>\$2,257.56</b>
<b>Net Claim</b>	<b>\$2,257.56</b>

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Skip Yaw



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- 1 1-1046 East Magdalena Drive  
Date Taken: 5/26/2021



- 2 2-1046 East Magdalena Drive (1)  
Date Taken: 5/26/2021





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- 3 3-1046 East Magdalena Drive (2)  
Date Taken: 5/26/2021



- 4 4-1046 East Magdalena Drive (3)  
Date Taken: 5/26/2021





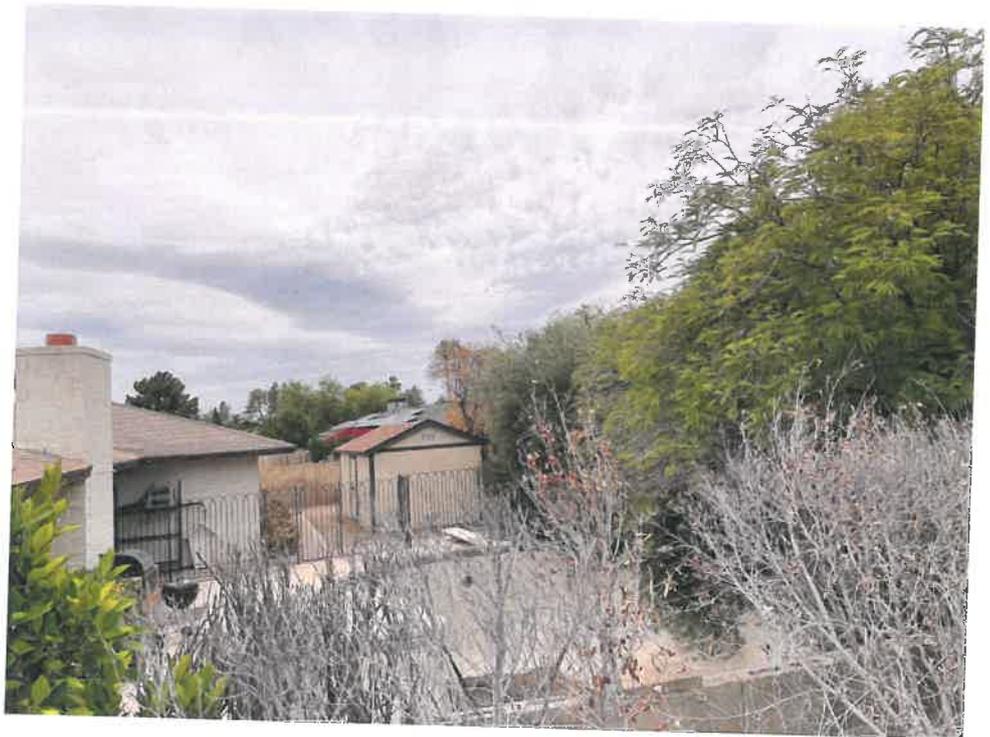
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- 5 5-1046 East Magdalena Drive (4)  
Date Taken: 5/26/2021



- 6 6-1046 East Magdalena Drive (5)  
Date Taken: 5/26/2021





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- 7 7-1046 East Magdalena Drive (6)  
Date Taken: 5/26/2021



- 8 8-1046 East Magdalena Drive (7)  
Date Taken: 5/26/2021





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- 9 9-1046 East Magdalena Drive (8)  
Date Taken: 5/26/2021



- 10 10-1046 East Magdalena Drive (9)  
Date Taken: 5/26/2021



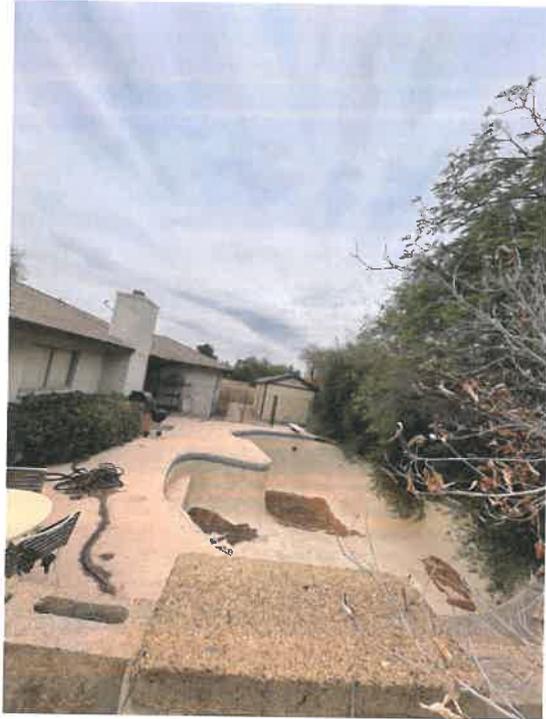


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EIN: 86-0721883 / ROC: B License #097838

- 11 11-1046 East Magdalena Drive (10)  
Date Taken: 5/26/2021



- 12 12-1046 East Magdalena Drive (11)  
Date Taken: 5/26/2021





## East Valley Disaster Services

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EIN: 86-0721883 / ROC: B License #097838

13 13-1046 East Magdalena Drive (12)  
Date Taken: 5/26/2021



14 14-1046 East Magdalena Drive (13)  
Date Taken: 5/26/2021





## East Valley Disaster Services

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15 15-1046 East Magdalena Drive (14)  
Date Taken: 5/26/2021



**301-91-036**

**Residential Parcel**

This is a Residential parcel located at [1046 E MAGDALENA DR TEMPE 85283](#). The current owner is MARGARET JK LEVECKE LIVING TRUST. It is located in the TEMPE ROYAL PALMS UNIT 12 subdivision, and MCR [14835](#). Its current year full cash value is \$332,600.

MAPS	PICTOMETRY	VIEW/PAY TAX BILL	DEED
OWNER	VALUATIONS	ADDITIONAL INFO	SKETCHES
MAP FERRET	SIMILAR PARCELS	REGISTER RENTAL	

**PROPERTY INFORMATION**



[1046 E MAGDALENA DR TEMPE 85283](#)

<b>MCR #</b>	14835
<b>Description</b>	TEMPE ROYAL PALMS UNIT TWELVE
<b>Lat/Long</b>	<a href="#">33.370329</a>   <a href="#">-111.923692</a>
<b>Lot Size</b>	8,943 sq ft.
<b>Zoning</b>	R1-6
<b>Lot #</b>	399
<b>High School District</b>	TEMPE UNION #213
<b>Elementary School District</b>	TEMPE ELEMENTARY SCHOOL DISTRICT
<b>Local Jurisdiction</b>	TEMPE
<b>S/T/R</b>	2 1S 4E
<b>Market</b>	02/007
<b>Area/Neighborhood</b>	
<b>Subdivision (248 Parcels)</b>	<a href="#">TEMPE ROYAL PALMS UNIT 12</a>

**OWNER**

### INFORMATION



MARGARET JK LEVECKE LIVING TRUST

<b>Mailing Address</b>	1046 E MAGDALENA DR, TEMPE, AZ 85283
<b>Deed Number</b>	<u>210289215</u>
<b>Last Deed Date</b>	03/15/2021
<b>Sale Date</b>	n/a
<b>Sale Price</b>	n/a

### VALUATION INFORMATION



We provide valuation information for the past 5 years. For mobile display, we only show 1 year of valuation information. Should you need more data, please look at our [data sales](#).

The Valuation Information displayed below may not reflect the taxable value used on the tax bill due to any special valuation relief program. [CLICK HERE TO PAY YOUR TAXES OR VIEW YOUR TAX BILL](#)

Tax Year	2022	2021	2020	2019	2018
<b>Full Cash Value</b> ⓘ	\$332,600	\$310,500	\$282,700	\$261,300	\$243,700
<b>Limited Value</b> ⓘ	\$262,959	\$250,437	\$238,511	\$227,153	\$216,336
<b>Legal Class</b>	4.1	4.1	4.1	4.1	4.1
<b>Description</b>	NON-PRIMARY/NOT IN OTHER CLASSES RESID				
<b>Assessment Ratio</b>	10.0%	10.0%	10.0%	10.0%	10.0%
<b>Assessed LPV</b>	\$26,296	\$25,044	\$23,851	\$22,715	\$21,634
<b>Property Use Code</b>	0141	0141	0141	0141	0141
<b>PU Description</b>	Single Family Residence				
<b>Tax Area Code</b>	031600	031600	031600	031600	031600
<b>Valuation Source</b>	Notice	Notice	Notice	Notice	Notice



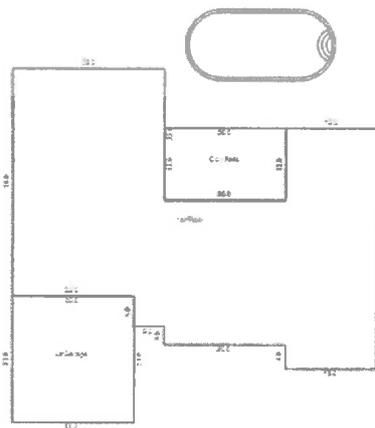
Additional property data.

<b>Construction Year</b>	1973
<b>Weighted Construction Year</b>	1973
<b>Improvement Quality</b>	R-4 (Above average)
<b>Pool</b>	Yes
<b>Living Area</b>	2,050 sq ft.
<b>Patio(s)</b>	Covered: 1   Uncovered: 0
<b>Exterior Wall Type</b>	8" Painted Block
<b>Roof Type</b>	Asphalt Shingle
<b>Bath Fixtures</b>	7
<b>Garage Stalls</b>	2
<b>Carport Stalls</b>	0

## BUILDING SKETCHES



Sketches that illustrate the external dimensions of a property.



## ADDITIONAL PROPERTY INFORMATION

### MAP FERRET MAPS



Mapferret maps, also known as Mapld maps, pdf maps, or output maps are now available here without having to search.



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FIRST CORRECTION NOTICE**

9-25-2020

**BILL & MJ CREW LLC  
MARGARET LEVECKE  
700 N HELENA ST  
ANAHEIM, CA 92805**

Case#: CE206009  
Site Address: 1046 E MAGDALENA DR

**SITE REINSPECTION ON OR AFTER: 10/26/20**

This is a notice to inform you that this site was inspected on **9/24/20** 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-7**

Any object, building, tree, bush or vehicle that interferes with, obstructs, tends to obstruct, or renders dangerous the free passage, use or vision in the customary manner of any sidewalk, street or highway in the city.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

- 1. Remove the dead trees in the east side of the front yard and back yard taking the stumps down to ground level.**
- 2. Remove the dead bushes along the east street side yard.**
- 3. Trim the over height weeds/grass in the front and side yard.**
- 4. Remove the excessive leaves in the front and side yard.**
- 5. Trim back the trees in the west side yard eliminating any sidewalk obstruction.**

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).



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE  
FINAL CORRECTION NOTICE**

11-09-2020

**BILL & MJ CREW LLC  
MARGARET LEVECKE  
700 N HELENA ST  
ANAHEIM, CA 92805**

Case#: CE206009  
Site Address: 1046 E MAGDALENA DR

**SITE REINSPECTION ON OR AFTER: 12/07/20**

This is a notice to inform you that this site was inspected on **11/06/20** 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.

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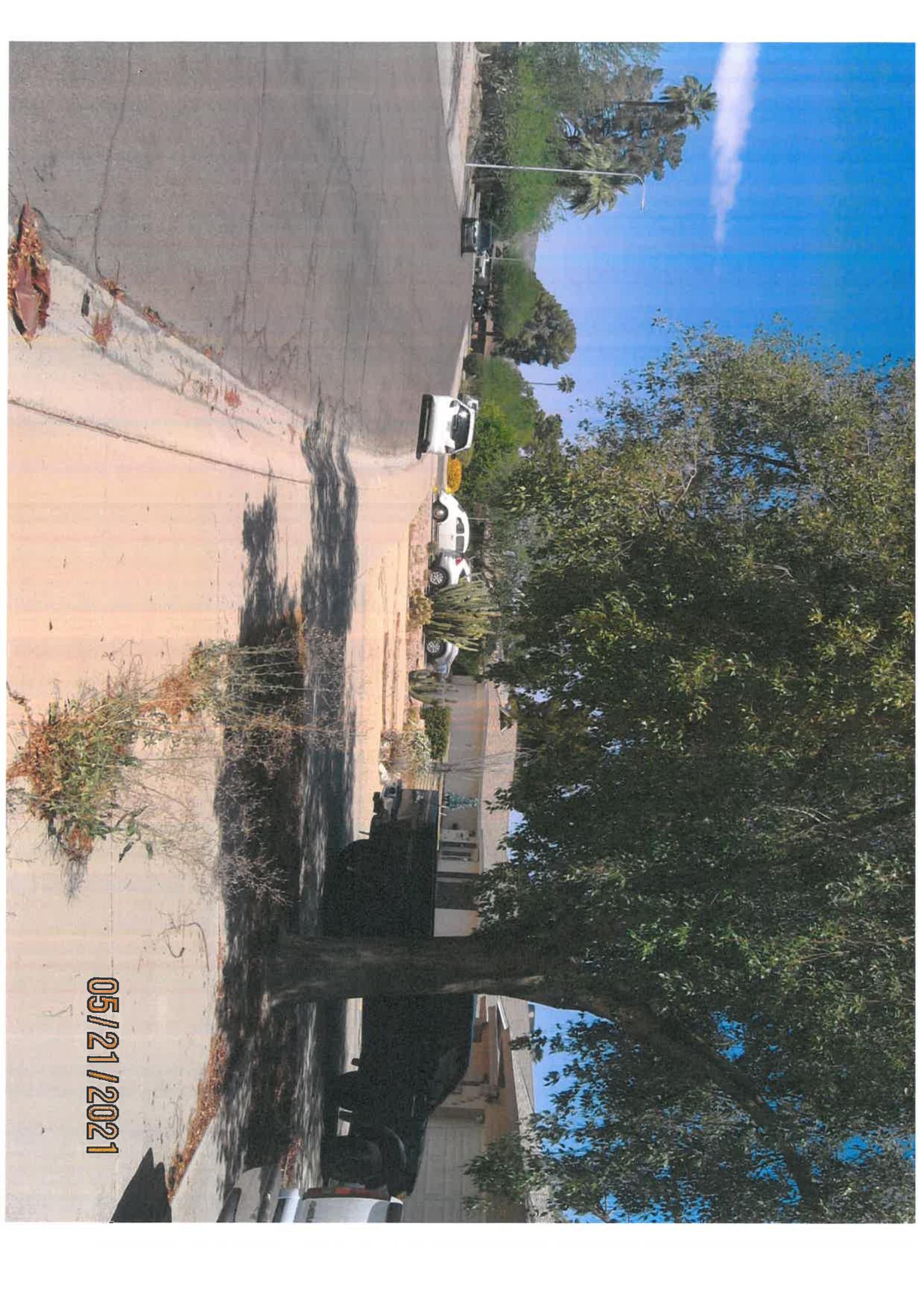
**\*\*\*If the above required corrections are not satisfied by 12/07/20, a \$400 citation will be issued.**

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

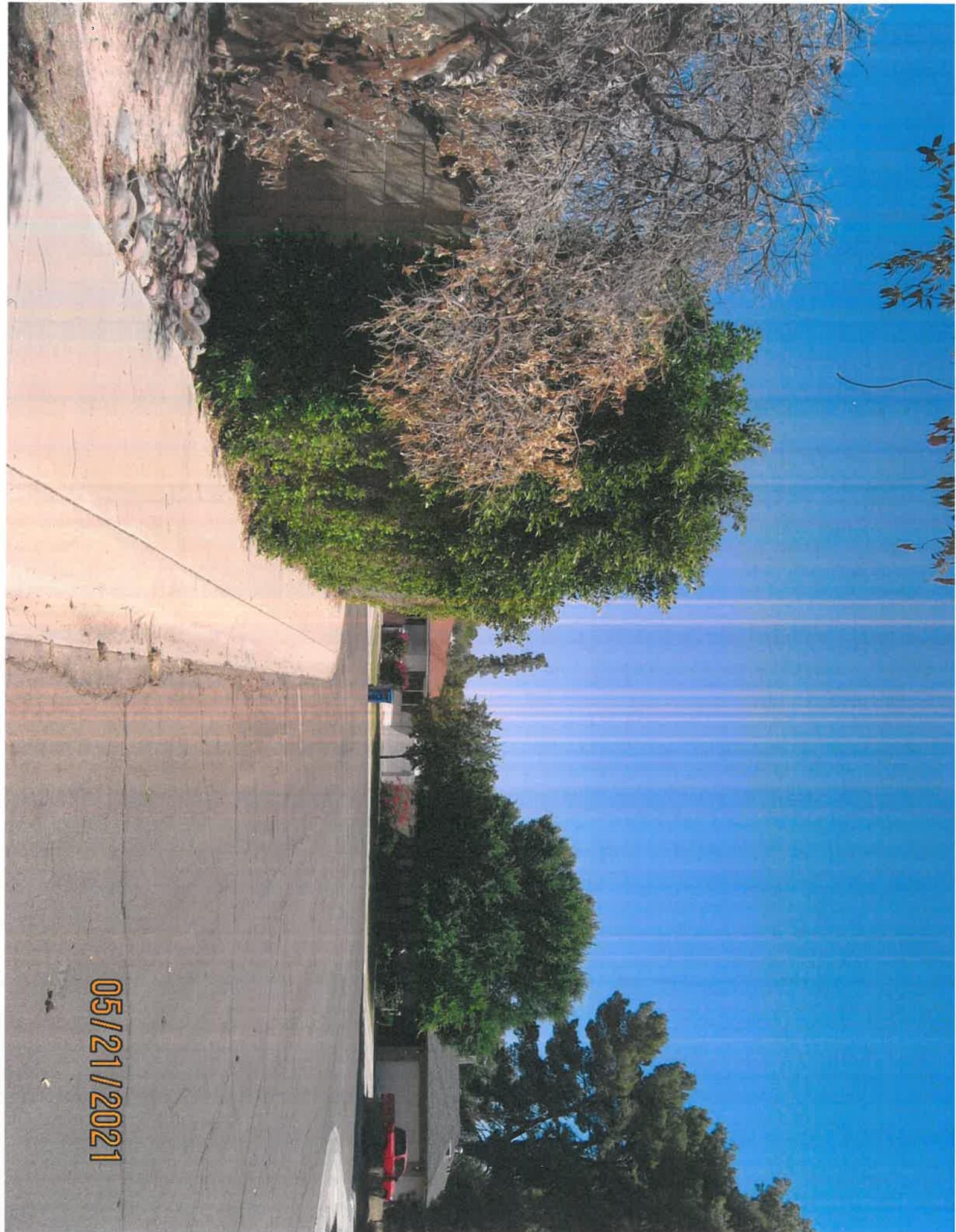
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05/21/2021



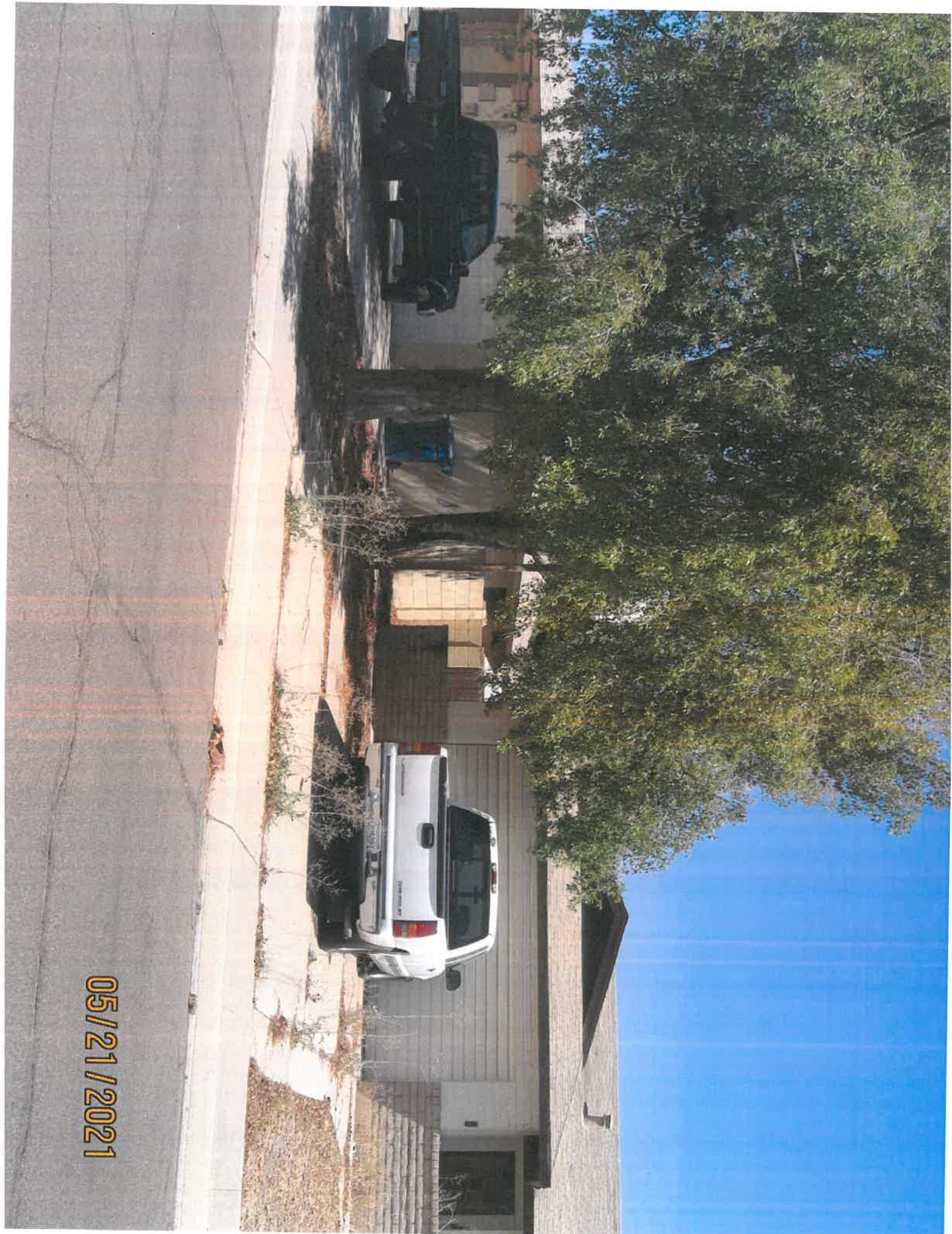
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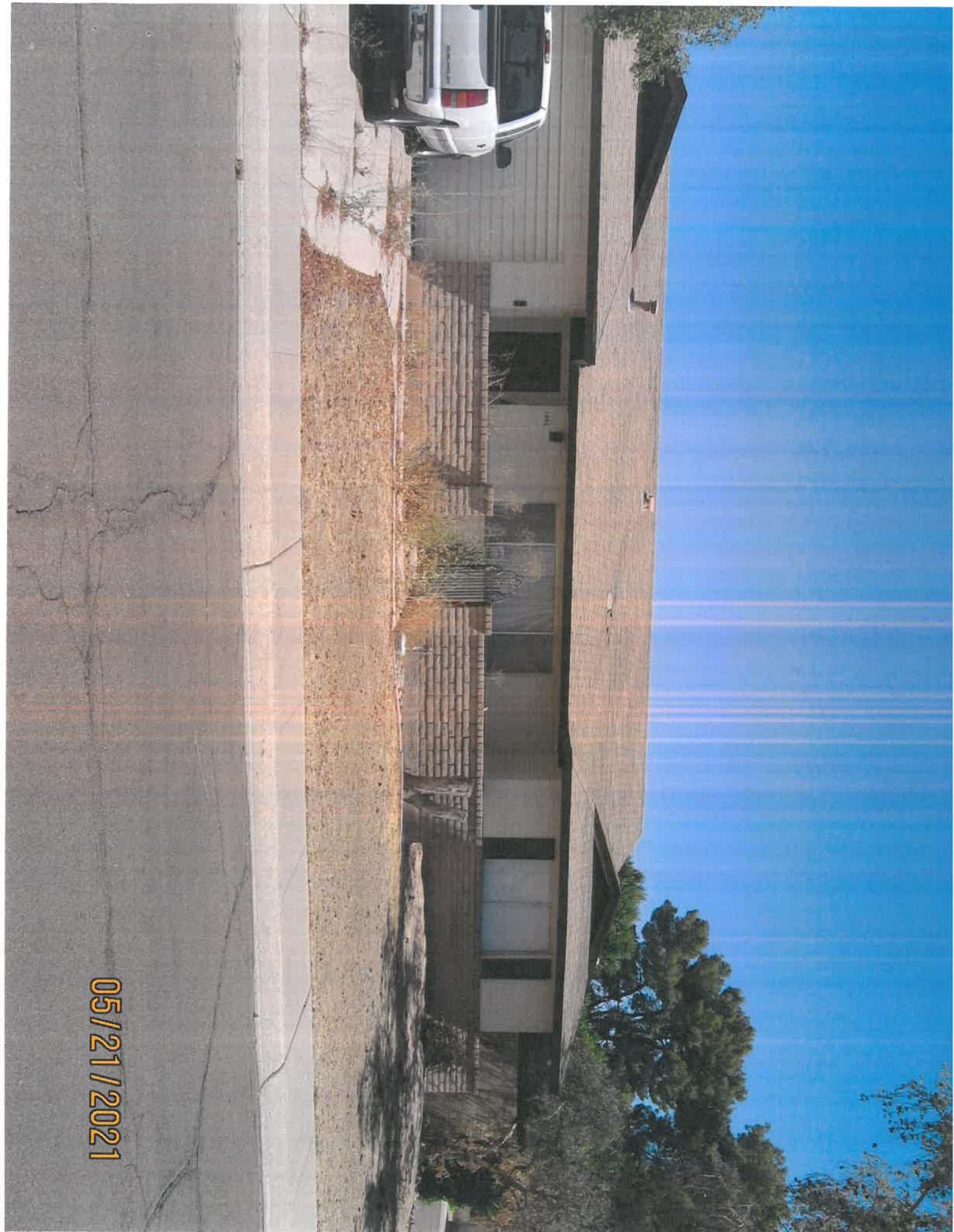
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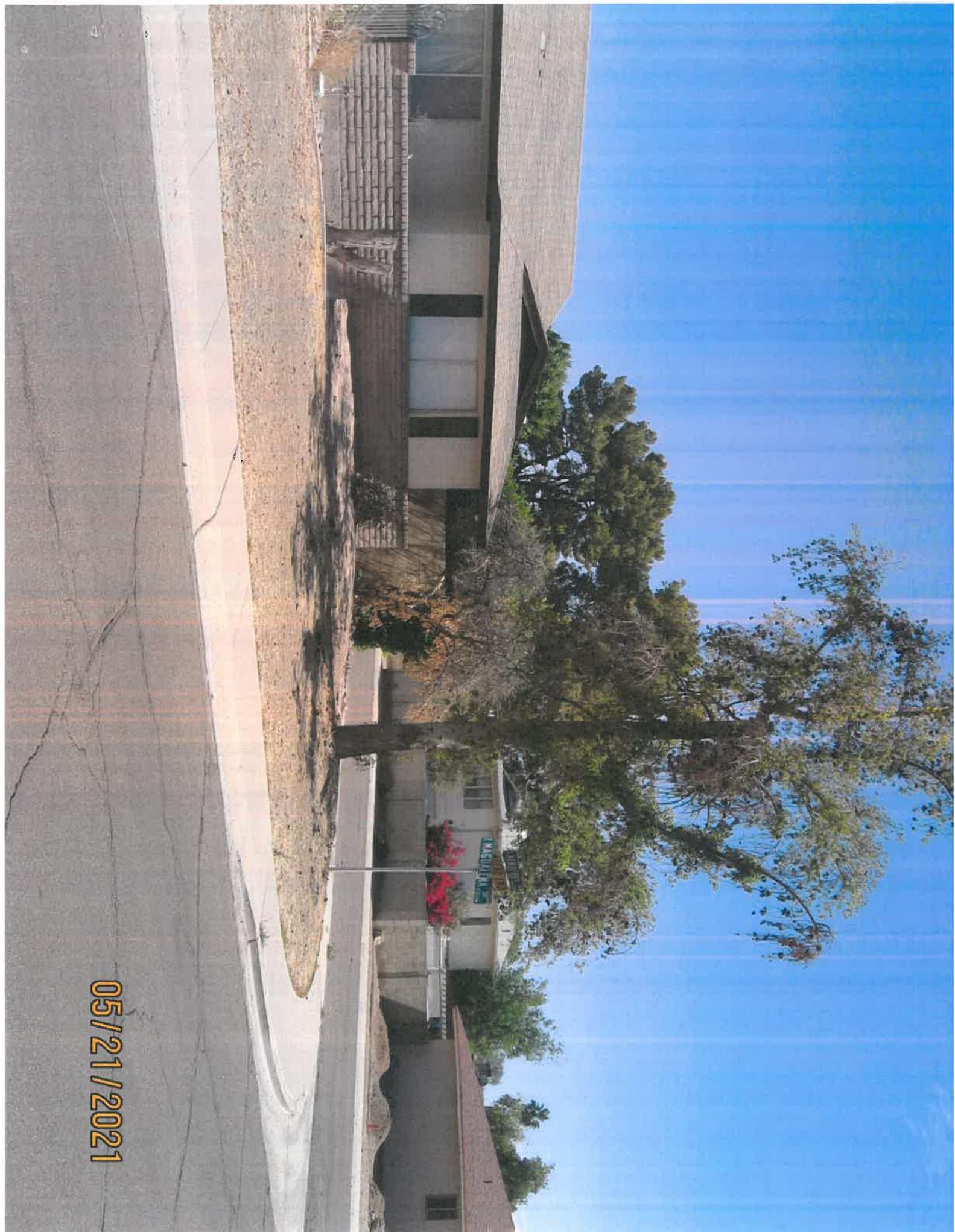
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