

CITY OF TEMPE HEARING OFFICER

Meeting Date: 04/19/2022

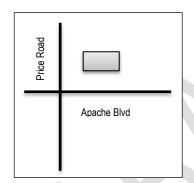
Agenda Item: 4

ACTION: Request approval to abate public nuisance items at the Jordan Property located at 1930 East Minton Drive. The applicant is the City of Tempe – Code Compliance.

FISCAL IMPACT: \$3878.00 for abatement request, the removal of grass/weeds from gravel areas. Cut over height grass/weeds from yard. Remove items in the front and or side of property. Please register or remove unregistered vehicle from the front/side of the property. Security on site.

RECOMMENDATION: Staff – Approval

<u>BACKGROUND INFORMATION</u>: City of Tempe – Code Compliance Section requests approval to abate items in violation of the Tempe City Code at the JORDAN PROPERTY (CE217086). 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 CE217086: Remove grass/weeds from gravel areas. Cut over height grass/weeds from yard. Remove items in the front and or side of property. Please register or remove unregistered vehicle from the front/side of the property. The request includes the following:



Property Owner Aaron Jordan

Applicant

Zoning District:

Code

Compliance

City of Tempe – Code Compliance

R1-6, Single Family Residential District

Code

Compliance

Julie Scofield, Senior Code Inspector

Inspector:

ATTACHMENTS: Supporting Attachment

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

Department Director: Shelly Seyler, Interim Community Development Director

Prepared by: Cassidy Hernandez, Administrative Assistant Reviewed by: Drew Yocom, Planning and Research Analyst

COMMENTS:

Code Compliance is requesting approval to abate the Jordan Property located at 1930 East Minton Drive in the R1-6, Single Family Residential District. This case was initiated 11/18/2022 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.

Planning Application Submittal Form

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 JORDAN PROPERTY ABJ					NT		EXISTING ZONING				
PROJECT ADDRESS 1930 E. MINTON DR. TEMPE, AZ 85282								SUITE(S)			
PROJECT DESCRIPTION ABATEMENT OF CE217086 HEARING IS APRIL 19TH, 2022								PARCEL No(s)	133-36-453		
		P	ROPERTY OWNER INFOR	MATIO	N – REQUIRE	D (EXCEP	T PRELIMINARY SITE PLAN	REVIEW & SIGN	TYPE K)		
	В	USINESS NAME				ADDRESS	1930 E. MINTON DR.		•		
	C	CONTACT NAME	AARON JORDAN			CITY	TEMPE	STATE	AZ	ZIP	85282
EMAIL						PHONE 1		PHONE 2			
I hereby authorize the applicant below to process this application with the City of Tempe.											
	n r n44 r	ach written etete			R SIGNATURE	Х	·		DATE		
			ment authorizing the applicant t	o file the		INFORMA	TION - REQUIRED				
CO	MPAI	NY / FIRM NAME	CITY OF TEMPE			ADDRESS	21 E. 6TH ST.		 -		
	C	CONTACT NAME	JULIE SCOFIELD			CITY	TEMPE	STATE	AZ	ZIP	85281
		EMAIL	JULIE_SCOFIELD@TEMF	PE.GOV	,	PHONE 1	480-350-8951	PHONE 2			
I hereby attest that this application is accurate and the submitted documents are complete. I acknowledge that if the application										deeme	to be
incomplete it will be returned to me without review, to be resubmitted with any missing information.											
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	В	USINESS NAME	BUSINES	S INFC	RMATION -	ADDRESS	FOR USE PERMITS & SIGN	IDPRs			
CONTACT NAME				-		CITY		STATE	Γ	ZIP	
TYPE OF BUSINESS					PHONE		EMAIL				
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	В.	ADMINISTRAT	IVE APPLICATIONS					ADM			
	C.	VARIANCES						VAR			
	D.	USE PERMITS	/ USE PERMIT STANDARDS					ZUP			
	E.	ZONING CODE	AMENDMENTS					ZOA	ZON		
	F.		D AREA DEVELOPMENT OVERLAYS					PAD REC			
	G.	SUBDIVISION	CONDOMINIUM PLATS					SBD	SBD REC		
	H.		IT PLAN REVIEW				DPR				
	I.	APPEALS									
	J.		AN AMENDMENTS					GPA			
	K. ZONING VERIFICATION LETTERS							ZVL			
4	L.	ABATEMENTS						CE CM			
M. SIGN TYPE K							GO		SE		
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PL TRACKING #			CE / CI	E/CM/IP TRACKING#							
SPR TRACKING # (if 2nd or 3nd submittal,								TOTAL APPLICA	ATION FEI	ES	
please use Planning								RECEIVED BY II	NTAKE ST	AFF (INI	TIALS)
Resubmittal Form)										(

DATE:

03/07/2022

TO:

Jack Scofield, Sr. Code Inspector

FROM:

Julie Scofield, Code Inspector

SUBJECT:

CE217086, Jordan Property Abatement

LOCATION: 1930 E. MINTON DR. TEMPE, AZ 85282

LEGAL:

CONTINENTAL EAST 3

PARCEL:

133-36-453

OWNER:

AARON JORDAN 1930 E. MINTON DR **TEMPE. AZ 85282**

FINDINGS:

11/18/2021 The Code Compliance Division received a complaint for this property for deteriorated landscape, unregistered vehicle, and junk, trash, and debris. An inspection found that the property was in violation for grass and weeds in a gravel landscape and over height grass and weeds in the non-gravel areas. There was an unregistered Mustang parked on the east side of the property with expired tags. In the front, mainly in the carport and east side, there was items being stored. Items included appliances. couches, trash, boxes, and miscellaneous items. A notice was mailed to the owner. Aaron Jordan.

12/06/2021 There has been no change to the property. A final notice was mailed.

01/03/2022 There has been no change to the property. A pink hanger was placed on the mailbox asking for contact or compliance by 01/06/2022 to avoid a citation. A little girl came out of the residence, grabbed the pink hanger, and went back in the house.

01/07/2022 Received a phone message from Aaron Jordan, who wanted to talk about his violations. Tried to call him back, but his answering mailbox was full and was not able to leave a message.

01/13/2022 Attempted to call Mr. Jordan again, but his mailbox was still full.

01/20/2022 Made another attempt to contact Mr. Jordan. This time was able to leave a message. I left him a very detailed message on the violations and what needed to be done to come into compliance. I gave him until February 3rd, 2022, to have the violations corrected.

02/04/2022 Issued a citation to the property owner for the deteriorated landscape. unregistered vehicle and junk, trash, and debris. Citation # 1702442. Pictures were taken to show the condition of the property.

02/18/2022 Returned a phone call to Mr. Jordan and left a message.

03/01/2022 Requested bids to have the property abated.

03/07/2022 Turning in the paperwork for the abatement hearing to be heard April 19, 2022. The citation has gone unpaid, and the owner has failed to appear.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violation at the property located at 1930 E. Minton Dr., due to property owner's failure to bring property into compliance with Tempe City Code 21-3. b.8., 21-3. b.3, and 21-3.b.1. Mr. Jordan was issued multiple notices. A citation was issued but has gone to collections. There has been no indication that the property owner will bring the property into compliance. The property represents an eyesore to the community.

Without the intervention of abatement, the property will continue to deteriorate. I therefore make a request to the City of Tempe Community Development Hearing Officer for authorization to abate this public nuisance in accordance with section 21-53 of the Tempe City Code. I also request that the abatement be approved for 180 days.

Respectfully submitted,

Julie Scofield Code Inspector II

ACTION TAKEN: _	3. Subnit
NAME _	Mic
DATE: _	3/8/22



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 03/07/2022 CASE #: CE217086

AARON JORDAN 1930 E MINTON DR TEMPE, AZ 85282

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

LOCATION: 1930 E MINTON DR TEMPE, AZ 85282

PARCEL: 133-36-453

This office will submit this complaint to the Community Development Abatement Hearing Officer located at the Tempe City Council Chambers 04/19/2022. 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

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

CC 21-3.b.3 An unregistered vehicle outside of or under a roof area not enclosed

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

CC 21-3.b.8 Remove grass/weeds from gravel areas. Cut over height gras/weeds from yard.

CC 21-3.b.1 Please items in the front and or side of the property.

CC 21-3.b.3 Please register or remove unregistered vehicle from the front/side of the property.

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 \$3878.00. In addition to the actual cost of abatement, an administrative charge of fifteen percent (15%) 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: Julie Scofield Phone Number: 480-350-8951 E-mail: julie_scofield@tempe.gov



March 4, 2022

City of Tempe Attn: Julie Scofield Code Inspector II

RE: Clean-Up at 1930 E. Minton Dr.

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 a 1930 E. Minton Dr, Tempe, AZ. Please give us a call for any questions you may have at 480-821-4966.

Scope of Work

- Remove trash and debris from the front and side (east) of the property
- Landscape clean-up in the front and side of the property
- Tow away unregistered vehicle
- Police presence on-site for duration of visit

Total = \$3,878.00

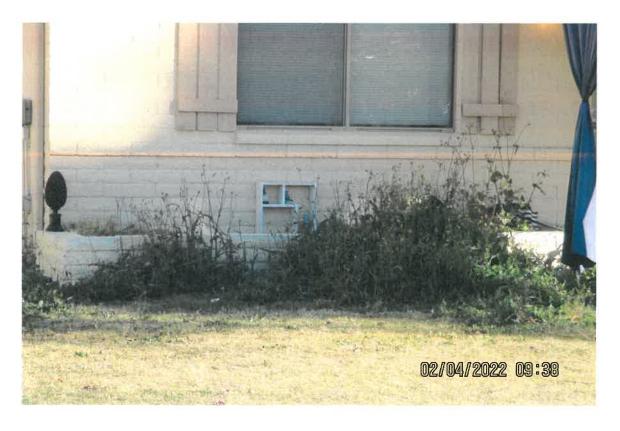
Respectfully,

Jose Hernandez

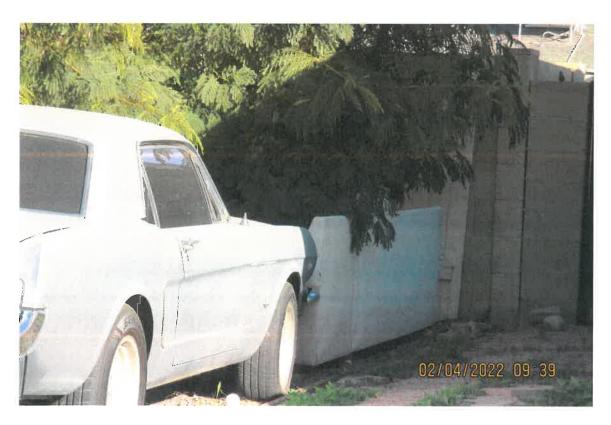




















COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE CORRECTION NOTICE

11/18/2021

JORDAN AARON 1930 E MINTON DR TEMPE, AZ 85282

Case#: CE217086

Site Address: 1930 E. MINTON DR. TEMPE, AZ 85282

SITE REINSPECTION ON OR AFTER: 12/02/2021

This is a notice to inform you that this site was inspected on 11/18/2021 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 City of Tempe Code 21-3-B-3

Any inoperable or unregistered vehicle, or parts thereof, outside of or under a roof area not enclosed by walls, doors or windows of any building on any lot, except the safe and neat keeping of:

- a. Substantially complete inoperable or unregistered vehicles with inflated tires under the roof area of any building;
- b. A vehicle undergoing repair, titled to the owner or resident of the property, provided that the repair is complete within fourteen (14) days after the repair was begun, provided that not more than three (3) such fourteen (14) day repairs will be permitted in any twelve (12) month period;
- c. Not more than two (2) ongoing restoration projects or inoperable or unregistered vehicles in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code;
- Lawful commercial activities involving vehicles as allowed by the Zoning and Development Code;
 or
- e. Operable, off-road vehicles, under the roof area of any building, or in a backyard area, screened by a substantially opaque fence at a minimum height of five (5) feet or the height of the vehicles, whichever is more, provided that any fence constructed or modified pursuant to this subsection must meet any and all other requirements of the city code.

Violation of City of Tempe Code 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; lumber, scrap iron, tin and other metal not neatly piled, or anything whatsoever that is or may become a hazard to public health and safety, or that may harbor insect, rodent or vermin infestation. This subsection shall not be deemed to include items kept in covered bins or metal receptacles approved by the county health officer or this code or any other ordinance of the city.

Violation of City of Tempe Code 21-3-B-8

Any landscaping, visible from public property, that is substantially dead, damaged, or characterized by uncontrolled growth, or presents a deteriorated 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.

PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION:

- VEHICLES OUT IN THE OPEN MUST BE REGISTERED AND APPEAR OPERABLE. PLEASE PROPERLY REGISTER ANY UNREGISTERED VEHICLE(S) WITH AZ MVD AND DISPLAY CURRENT PLATES AND OR TAGS. OR REMOVE THE VEHICLE(S) FROM THE FRONT OF THE PROPERTY. (AZ 586WZC)
- 2. PLEASE REMOVE ALL GRASS AND OR WEEDS FROM THE FRONT AND OR SIDES OF THE PROPERTY IN THE GRAVEL LANDSCAPED AREAS. ALL GRAVEL LANDSCAPES MUST BE MAINTAINED FREE AND CLEAR OF ANY UNCONTROLLED GROWTH REGARDLESS OF HEIGHT. THIS INCLUDES THE EAST SIDE WHERE THE VEHICLES ARE PARKED.
- 3. PLEASE REMOVE AND OR PROPERLY DISCARD THE ITEMS IN THE FRONT OF THE PROPERTY. THIS INCLUDES THE FURNITURE, APPLIANCES, BOXES, SLEEPING BAGS, COUCHES, ANY HOUSEHOLD ITEMS, AND ANY OTHER MISCELLANEOUS ITEMS.

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

Julie Scofield Code Inspector II E-Mail Direct: 480-350-8951 Code Compliance: 480-350-8372 julie_scofield@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 \$82.00 pursuant to City Code Section 21-51, subsection (b).



COMMUNITY DEVELOPMENT DEPARTMENT CODE COMPLIANCE FINAL CORRECTION NOTICE

12/06/2021

JORDAN AARON 1930 E MINTON DR TEMPE, AZ 85282

Case#: CE217086

Site Address: 1930 E. MINTON DR. TEMPE, AZ 85282

SITE REINSPECTION ON OR AFTER: 12/27/2021

This is a notice to inform you that this site was inspected on 12/06/2021 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:

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Julie Scofield Code Inspector II E-Mail Direct: 480-350-8951 Code Compliance: 480-350-8372 julie_scofield@tempe.gov

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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 \$82.00 pursuant to City Code Section 21-51, subsection (b).



Uncertified Arizona Motor Vehicle Record as of: 2/4/2022

Plate	Plate Type	Plate Status	VIN
586WZC	Standard	Active	5R07C183857
Year	Make	Model	Style
1965	Non-Standard	Unknown	Coupe
Factory List Price	Fuel Type	Odometer Reading	Odometer Code
2321	Gasoline	1200	Not Actual
GVW	SAR Start	SAR End	SAR Weight
0			0

Registration Use	First Regi	stered	Expiration	on Date	Date Registration Renewed		
Regular	3/1965		02/15/20				
Title Number 0W28008039018	State Issued AZ	Title Is 2/8/200	sued Date 8	Title Indicato	r Title Status Active		
Date of Sale	Recived D	ate					
De-Insure Start Da	ite De-Insure	End Date	Certifica Date	ite Received	Reason		
4/24/2018			4/24/2018	8	Vehicle is inoperable		

Owner(s)

4427582 Aaron Bryce Jordan 1930 W Minton Drive, Tempe, AZ 85282

Mailing Address

1133 W Broadway Rd, Mesa, AZ 852108424

Domicile Address

Lienholder(s)

6679643 CASH TIME TITLE LOANS INC 1133 W Broadway Rd Mesa, AZ 852108424 2/7/2008 **Additional Information**

Restored Salvage

Arizona Traffic Ticket and Complaint

City of Tempe Maricopa County State of Arizona



								AV.1 1.29	1					
Com	7024	42	ase Number	100	Social Secu	rity Number	Mars Delta	Military	Serious Physica Injury		nt Fatality			
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	Section:			ARS Violatio	on:			174		Domestic	Criminal	Criminal Tra	affic	
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	Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281				Suite 150, 1st Floor Date:			1221	2027	Time: B	etween 9A	M & 4PM		
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inc	dicated	Court Addres	s, City, State,	Zip Code					1			PM	\dashv	
	at:													
Crim	inal: 🔲 Wi	thout admitti	ng guilt, I pro	mise to appe	ar as directed	hereon.			tim? 🗌			tified?		
Civil	: Wi	thout admitti	ng responsib	lity, I acknow	ledge receipt	of this comp						nt committed the complaint upon		
	0.0	-, /				·	def	endant.		and	a Spy of this	Complaint apon		
x Nailed Sulu XIVAUIC 8022											4			
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			ordered will our driver's	•			Ę	ノーやる	00.00		8	C000,C	20	
licens	se / driving p	rivileges unti	l you comply				_(-80	200.00					
or rea	r reach your 18th birthday. Initials Date issued if not violation date													

COMPLAINT

If the defendant fails to appear within the time specified, and either pay the fine for the violation or request a hearing, judgment by default will be entered in the amount of the fine designated on the citation for the violation charged plus a penalty amount.

