

# Staff Summary Report



Hearing Officer Hearing Date: April 15, 2008

Agenda Item Number: 12

**SUBJECT:** This is a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items located at the **HAZELTON PROPERTY** located at 1219 South Maple Avenue.

**DOCUMENT NAME:** 20080415dsng04

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by the City of Tempe – Neighborhood Enhancement Department to abate public nuisance items in violation of the Tempe City Code for the **HAZELTON PROPERTY (PL080087/ABT08006)** (Patrick Hazelton, property owner) Complaint CE075217 located at 1219 South Maple Avenue in the R-2, Single Family Residential District.

**PREPARED BY:** Nick Graves, Planning Intern (480-350-8690)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

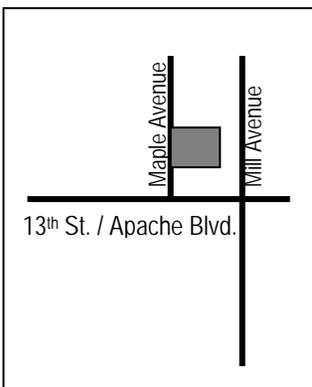
A handwritten signature in black ink, appearing to read 'SEA'.

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval

**ADDITIONAL INFO:** The Neighborhood Enhancement Division is requesting approval to authorize the abatement of the **HAZELTON PROPERTY (PL080087/ABT08006)** (Patrick Hazelton, property owner) Complaint CE075217 located at 1219 South Maple Avenue in the R-2, Single Family Residential District. The details of this case represent several months of correspondence for compliance with the property owner. Staff recommends the authorization of abatement of this property. To date, one letter of complaint has been submitted in favor of this request.



**PAGES:**

1. List of Attachments
2. Comments; History & Facts/Description

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
- 3-24. Neighborhood Enhancement Report
25. Letter of Complaint

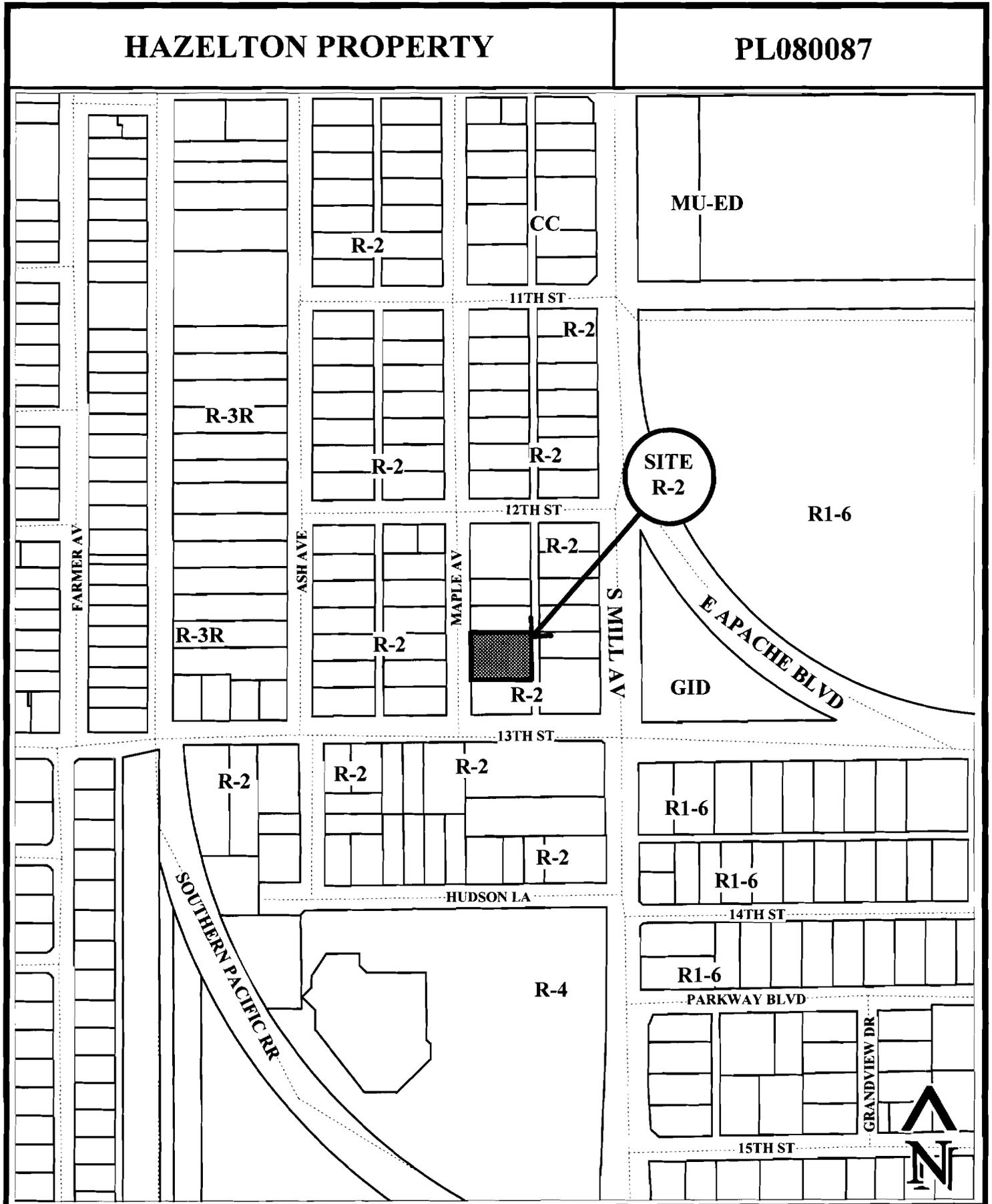
**COMMENTS:**

The Neighborhood Enhancement Division is seeking approval of a request to authorize the abatement of the **HAZELTON PROPERTY (PL080087/ABT08006)** (Patrick Hazelton, property owner) Complaint CE075217 located at 1219 South Maple Avenue in the R-2, Single Family Residential District. The property is located just north of 13<sup>th</sup> Street/Apache Boulevard on Maple Avenue. The details of this case represent several months of correspondence for compliance with the property owner. Refer to the attached memo and photos from Julie Scofield, Neighborhood Enhancement Inspector, for the history and facts on the enforcement of the property.

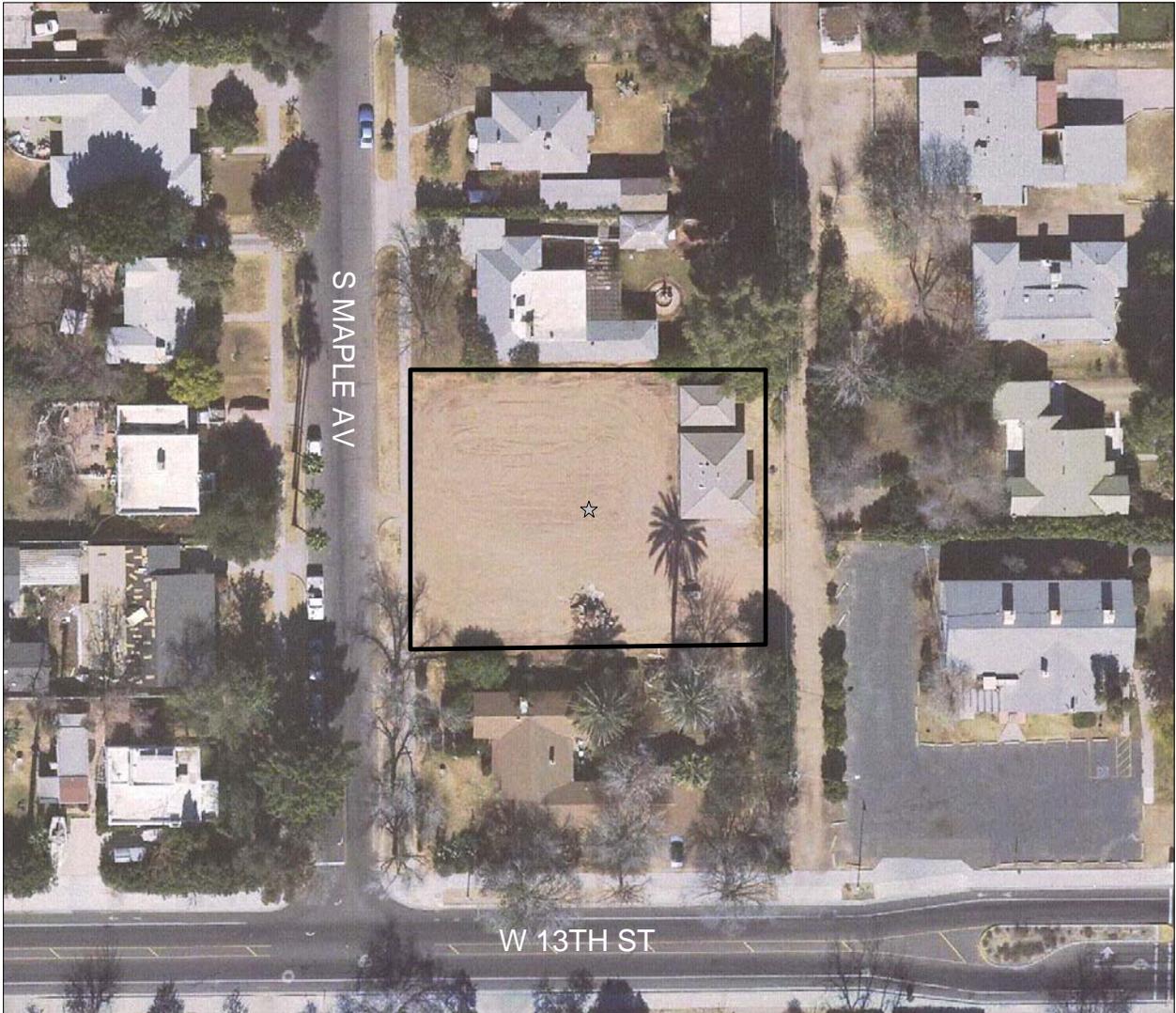
Staff recommends the authorization of abatement of this property.

**HISTORY & FACTS:** See attached memo from the Neighborhood Enhancement Division.

**DESCRIPTION:** Owner – Patrick Hazelton  
Applicant – Julie Scofield, COT Neighborhood Enhancement  
Existing zoning – R-2, Single Family Residential District  
Lot area – 16,810 sf./0.39 acres  
Building area – N/A  
Year of construction – N/A



**Location Map**



HAZELTON PROPERTY (PL080087/ABT08006)

**DATE:** 3/3/08  
**TO:** Michael Spencer, Senior Code Inspector  
**FROM:** Julie Scofield, Code Inspector II  
**SUBJECT:** Request to Abate Nuisance and Zoning Violations- Reference Complaint #CE063089 and #CE075217

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**LOCATION:** 1219 S. Maple Ave. Tempe, AZ 85281

**LEGAL:** Book 132, Map 45, Parcel 033, as recorded with the Maricopa County Assessor

**OWNER:** PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080

PATRICK HAZELTON  
850 S. RIVER PKWY #1044  
TEMPE, AZ 85281

**FINDINGS:**

- 6/21/06 The Neighborhood Enhancement Department received a complaint for the above property for deteriorated landscaping. Reference complaint #CE063089.
- 6/22/06 Inspected the property. There was only a small amount of overheight weeds and grass. Decided to go back to the property at a later date to reinspect.
- 7/11/06 Reinspected the property. There was an adequate amount of overheight grass and weeds on the property. Also noticed there were vehicles parked on the property. This is a vacant lot located in a residential district. There is no driveway or improved surface. There is no signage to keep anyone from parking there. The first notice was sent to Mr. Hazelton for the landscaping and to request posting a no parking/trespassing sign.
- 8/15/06 Reinspected the property. There has been no change in the condition of the property. A second notice was sent to the owner.
- 9/6/06 Reinspected the property. There has been no change in the condition of the property. A final notice was sent to the owner.
- 10/5/06 Reinspected the property. There has been no change to the condition of the landscaping. A citation (#1294574) was issued. Pictures were taken.

- 1/8/07 Had a phone conversation with Mr. Hazelton, and he stated that the landscaping should be taken care of no later than January 19<sup>th</sup> of 2007.
- 1/30/07 Reinspected the property. Some sections of the landscaping have been taken care of, but the property is still in violation.
- 2/22/07 Reinspected the property. There has been no change in the condition of the landscaping. A second citation (#1333941) was issued. Pictures were taken.
- 3/27/07 Reinspected the property. There has been no change in the condition of the landscaping. A third citation (#1333949) was issued. Pictures were taken. Vehicles are still continually parking on the vacant lot. A notice was sent to the owner concerning the parking standards of the City of Tempe Zoning and Development code.
- 6/21/07 Reinspected the property. Closed the complaint due to cease of cars parking on the lot and the grass and weeds were cut down.
- 9/5/07 There is once again vehicles parked on the vacant lot and a violation of overheight weeds and grass. Pictures were taken to document this.
- 9/7/07 The Neighborhood Enhancement Department received another complaint on the above property concerning deteriorated landscaping and lawn parking. Reference complaint #CE075217. The property was inspected and found to be in violation of having overheight weeds and grass.
- 9/10/07 Reinspected the property. Took pictures of vehicles parked on the property. A notice was sent to Mr. Hazelton concerning the parking standards of the City of Tempe Zoning and Development code and a notice for the landscaping.
- 10/1/07 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 10/31/07 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 11/8/07 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 11/19/07 Reinspected the property. There has been no change in the condition of the property. A notice was sent to Mr. Hazelton for the landscaping and parking standards.
- 12/3/07 Reinspected the property. There has been no change in the condition of the property.

- 12/18/07 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 1/2/08 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 1/17/08 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 1/23/08 Reinspected the property. Issued a citation (#1380954) for the parking of the vehicles in the lot. Pictures of vehicles parked on the property were taken.
- 2/5/08 Reinspected the property. Pictures were taken of vehicles parked on the property.
- 2/20/08 Received the estimate for the landscaping and the installation of fencing material in the amount of \$440.00. Pictures were taken of the property.

**RECOMMENDATIONS:**

I recommend an abatement of the nuisance violation be done at the property of 1219 S. Maple Ave. due to Patrick Hazelton's failure to come into compliance with Tempe City Codes. Mr. Hazelton has been given ample time to come into compliance and maintain the property. There has been no indication in Mr. Hazelton's actions that he plans on coming into compliance.

Respectfully submitted,

Julie Scofield

ACTION TAKEN: submit  
NAME:   
DATE: 3-4-08



City of Tempe  
P. O. Box 5002  
Tempe, AZ 85280  
www.tempe.gov  
(480) 350-8372  
(480) 858-2231 (fax)

Code Compliance Division

## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 3/4/08

TO: PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080

PATRICK HAZELTON  
850 S. RIVER PKWY #1044  
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:

**LEGAL: Book 132, Map 45, Parcel 033, as recorded with the Maricopa County Assessor.**

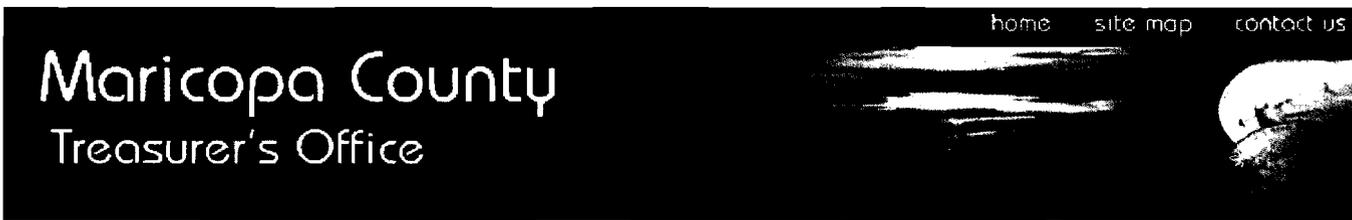
**LOCATION: 1219 S. MAPLE AVE.  
TEMPE, AZ 85281**

**This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of 4/15/08. 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: The overheight grass and weeds constituting a violation of TCC 21-3-B-8 which prohibits landscaping that is dead, damaged, or presents a deteriorated or slum-like appearance and City of Tempe Zoning and Development code Section 4-602 of the general parking standards. .**

**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 \$440.00. 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) 350-8372.**

Code Enforcement Officer: Julie Scofield

Phone Number 480-350-8951



<a href="#">Tax Bill</a>	<a href="#">Tax Summary</a>	<a href="#">Pay Online!</a>	<a href="#">Valuations</a>	<a href="#">Home</a>
<a href="#">Address</a>	<a href="#">Update Address</a>	<a href="#">Activities</a>	<a href="#">Tax Receipt</a>	<a href="#">New Parcel</a>

### Parcel Number 132-45-033 1

There is no Bill information for the current tax year.  
 However, the parcel has other parcel information.  
[Click Here](#) for past tax year information.

#### Property Information

Legal Description		
Section/Lot	Township/Block	Range/Tract
3	3	
	PARK TR	

#### Current Mailing Name & Address

HAZELTON PATRICK W  
 850 S RIVER DR UNIT 1044  
 TEMPE AZ 852814659

**Bishop Inc.**

6340 S. Rural Rd. #118-217  
 Tempe AZ 85283  
 PH: (602) 339-2082 Fax (480) 413-1691

#8147

**Estimate**

Name: City of Tempe  
 Address: P.O. Box 5002  
 City: Tempe, Az. 85281  
 Attn: Julie

Date 1/28/2008  
 Order # \_\_\_\_\_  
 Customer # \_\_\_\_\_  
 Our Order # \_\_\_\_\_

Qty	Description
	Work done at: 120 S. Maple Street
	Scope of work:
1	Cut down tall weeds, clean-up trash and debris on property.
2	Install fence post and railing across driveways to block access
	Prices includes all labor, materials, and dump fees
	Contract # T05-102-01

Unit Price	Total
	\$195.00
	\$245.00

Total: \$440.00

**Disclaimer:**

Prices may vary to work completed by homeowner, and the time lapse between this estimate and the abatement date. This estimate is based on a visual inspection of the property due to no access to backyards, locked gates, occupied property and obstructions to the visual inspection such as tarps, over growth of trees and bushes, plastic bags, etc. etc.

CASE # CE063089

COMPLAINT: YES NO



**City of Tempe Code Compliance Division**  
**Courtesy Notice**  
**We need your help to keep our City clean**

**This is a courtesy notice to inform you that on 7/11/06, 1219 S. MAPLE AVE.** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, and II of the Tempe City Code. A re-inspection will be conducted on or after the date indicated to verify compliance. If the property is brought into compliance with the code by 7/25/06, you will not be subject to citations or fines for the violation(s). We appreciate your cooperation in this matter. For questions or further information please contact the Code Compliance Division at 480-350-8372.

**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-9**

Any dangerous, deteriorated, abandoned, partially destroyed or unfinished building, addition, appendage or other structure, or any building in violation of the uniform building code as adopted by the city, and any vacated or abandoned building not securely closed at all times; any wood, metal or other material used for securing a vacated or abandoned building must be compatible with the color of the building.

**Please take the following corrective action by 7/25/06**

**Required Correction(s):**

- 1. PLEASE SECURE THE HOUSE BY BOARDING UP, OR FIXING THE DOOR ON THE EAST SIDE OF THE BUILDING.**
- 2. PLEASE HAVE THE OVERHEIGHT WEEDS CUT DOWN OR REMOVED.**
- 3. PLEASE CALL ME CONCERNING THE NO PARKING SIGNS ON YOUR PROPERTY. MY PHONE NUMBER IS AT THE BOTTOM OF THIS FORM.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Notice was delivered to:**

**PATRICK HAZELTON  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281**

**PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080**

**Code Enforcement Officer: Julie Scofield**

**Phone Number 480-350-8951**

CE21-1 11/99



CASE # CE063089

COMPLAINT: YES NO

**City of Tempe Code Compliance Division**  
**Second Notice**  
**We need your help to keep our City clean**

**This is a courtesy notice to inform you that on 8/15/06, 1219 S. MAPLE AVE.** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, and II of the Tempe City Code. A re-inspection will be conducted on or after the date indicated to verify compliance. If the property is brought into compliance with the code by 8/30/06, you will not be subject to citations or fines for the violation(s). We appreciate your cooperation in this matter. For questions or further information please contact the Code Compliance Division at 480-350-8372.

**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.

**Please take the following corrective action by 8/30/06**

**Required Correction(s):**

- 1. PLEASE HAVE THE OVERHEIGHT WEEDS AND GRASS CUT DOWN OR REMOVED.**
- 2. PLEASE CALL ME CONCERNING THE NO PARKING SIGNS ON YOUR PROPERTY. MY PHONE NUMBER IS AT THE BOTTOM OF THIS FORM.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Notice was delivered to:**

**PATRICK HAZELTON**  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281

**PATRICK HAZELTON**  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080

**Code Enforcement Officer: Julie Scofield**

**Phone Number 480-350-8951**

CE21-1 11/99

CASE # CE063089

COMPLAINT: YES NO



**City of Tempe Code Compliance Division  
Final Notice**  
**We need your help to keep our City clean**

**This is a courtesy notice to inform you that on 9/06/06, 1219 S. MAPLE AVE.** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, and II of the Tempe City Code. A re-inspection will be conducted on or after the date indicated to verify compliance. If the property is brought into compliance with the code by 9/21/06, you will not be subject to citations or fines for the violation(s). We appreciate your cooperation in this matter. For questions or further information please contact the Code Compliance Division at 480-350-8372.

**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.

**Please take the following corrective action by 9/21/06**

**Required Correction(s):**

- 1. PLEASE HAVE THE OVERHEIGHT WEEDS AND GRASS CUT DOWN OR REMOVED.**
- 2. PLEASE MAINTAIN THE LANDSCAPING.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Notice was delivered to:**

**PATRICK HAZELTON  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281**

**PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080**

**Code Enforcement Officer: Julie Scofield**

**Phone Number 480-350-8951**

CE21-1 11/99

CASE # CE063089

COMPLAINT: YES NO



**City of Tempe Code Compliance Division  
Courtesy Notice  
We need your help to keep our City clean**

**This is a courtesy notice to inform you that on 3/27/07, 1219 S. MAPLE AVE.** was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, and II of the Tempe City Code. A re-inspection will be conducted on or after the date indicated to verify compliance. If the property is brought into compliance with the code by 4/16/07, you will not be subject to citations or fines for the violation(s). We appreciate your cooperation in this matter. For questions or further information please contact the Code Compliance Division at 480-350-8372.

**Section 4-602 General Parking Standards.**

**A. Parking Required.** No use shall provide less than the minimum or more than the maximum number of off-street parking spaces required under Section 4-603. The use of any property is conditional upon the unqualified continuance and availability of the parking as required by this Code. In phased projects, individual phases of the project are exempt from the maximum parking standards, provided that the project does not exceed the maximum allowable parking at build-out.

**B. Parking Standards Applicable in All Zoning Districts.**

1. Parking spaces shall conform to the clear vision requirements in Section 4-702(G) and the vehicle and pedestrian circulation standards in Sections 4-502 and 4-503 respectively;
2. Parking is allowed only on paved parking surfaces. Pavement may be concrete, asphalt, or a porous material approved by the Development Services Manager, or designee. Where decomposed granite or similar porous pavement is used, it shall conform to ADA guidelines and the parking lot entrance(s) and exit(s) shall have tire cleaning strips to remove loose particles from the tires of vehicles;
3. A parking area shall be located on the lot it serves, or on a contiguous lot. Whenever required parking is provided on a contiguous lot a parking covenant and agreement shall be filed with the Development Services Department prior to issuance of a building permit;
4. Parking for uses located on property zoned as multi-family residential, commercial, mixed-use or office/industrial may not be provided on any property in a single-family (R1) district. Parking for any non-residential use permitted in the single-family zoning districts may be located in any other zoning district;

**Please take the following corrective action by 4/16/07**

**Required Correction(s):**

1. **PLEASE PUT UP THE NO PARKING SIGNS ON THE PROPERTY.**
2. **ANOTHER OPTION WOULD BE TO PUT IN A PARKING SURFACE, OR PUT UP FENCING TO PREVENT PEOPLE FROM PARKING ON THE LOT. PLEASE CONTACT DEVELOPMENT SERVICES BEFORE MAKING CHANGES TO THE PROPERTY. THEIR NUMBER IS 480-350-8888.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

**Notice was delivered to:**

**PATRICK HAZELTON  
850 S. RIVER PKWY #1044  
TEMPE, AZ 85281**

**Code Enforcement Officer: Julie Scofield**

**Phone Number 480-350-8951**

CASE #CE075217



**City of Tempe Code Compliance Division  
Notice to Comply: Article I. Nuisances**

Mailed on Date: 9/11/07

**PATRICK HAZELTON  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281**

**PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080**

This notice to comply is to inform you that on 9/10/07, the property located at 1219 S. MAPLE AVE. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, of the Tempe City Code. A re-inspection will be conducted on 9/25/07 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

**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.

**Deteriorated or deterioration** means a lowering in quality of the condition or appearance of a building, structure or premises, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or any other evidence of physical decay, neglect, damage or lack of maintenance.

**Slum-like** means a building, structure or premises characterized by deterioration or other similar conditions regardless of the condition of other properties in the neighborhood.

**Please take the following corrective action by: 9/25/07**

Required Correction(s):

PLEASE CUT DOWN ALL OVERHEIGHT GRASS AND OR WEEDS.

**IF THE VIOLATION IS NOT CORRECTED, THE NEXT STEP WILL BE TO ABATE THE PROPERTY.**

***We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.***

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**Civil and Criminal Penalties**

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1<sup>st</sup> occurrence \$100 dollars per violation, 2<sup>nd</sup> occurrence \$200 dollars per violation, 3<sup>rd</sup> occurrence \$300 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1<sup>st</sup> occurrence \$300 dollars per violation, 2<sup>nd</sup> occurrence \$600 dollars per violation, 3<sup>rd</sup> occurrence \$900 dollars 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 cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

**Code Inspector: JULIE SCOFIELD**

**Phone Number: 480-350-8951  
E-mail: JULIE\_SCOFIELD@TEMPE.GOV**



**City of Tempe Code Compliance Division  
Courtesy Notice**

**This is a courtesy notice to inform you that on 9/10/07, 1219 S. MAPLE AVE.**

was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, and II of the Tempe City Code. A re-inspection will be conducted on or after the date indicated to verify compliance. If the property is brought into compliance with the code by 10/8/07, you will not be subject to citations or fines for the violation(s). We appreciate your cooperation in this matter. For questions or further information please contact the Code Compliance Division at 480-350-8372.

**Section 4-602 General Parking Standards.**

**A. Parking Required.** No use shall provide less than the minimum or more than the maximum number of *off-street parking* spaces required under Section 4-603. The use of any property is conditional upon the unqualified continuance and availability of the *parking* as required by this Code. In phased projects, individual phases of the project are exempt from the maximum *parking* standards, provided that the project does not exceed the maximum allowable *parking* at build-out.

**B. Parking Standards Applicable in All Zoning Districts.**

1. *Parking* spaces shall conform to the clear vision requirements in Section 4-702(G) and the vehicle and pedestrian circulation standards in Sections 4-502 and 4-503 respectively;
2. *Parking* is allowed only on paved *parking* surfaces. Pavement may be concrete, asphalt, or a porous material approved by the Development Services Manager, or designee. Where decomposed granite or similar porous pavement is used, it shall conform to ADA guidelines and the *parking lot* entrance(s) and exit(s) shall have tire cleaning strips to remove loose particles from the tires of vehicles;
3. A *parking* area shall be located on the *lot* it serves, or on a *contiguous lot*. Whenever required *parking* is provided on a *contiguous lot* a parking covenant and agreement shall be filed with the Development Services Department prior to issuance of a building permit;
4. *Parking* for uses located on property zoned as multi-family residential, commercial, *mixed-use* or *office/industrial* may not be provided on any property in a single-family (R1) district. *Parking* for any non-residential use permitted in the single-family zoning districts may be located in any other zoning district;

**Violation of the Tempe City Code, Chapter 21-3-b-4**

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- a. Be contiguous to, and share an access point with, the required driveway;
- b. Be no greater than Thirty-Five Percent (35%) of the front and side areas visible from the street;
- c. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- d. Be maintained free of all vegetation, including, but not limited to grasses, trees, and bushes.

Please take the following corrective action by 10/8/07

Required Correction(s):

1. PLEASE PUT UP THE NO PARKING SIGNS ON THE PROPERTY AND BE SURE TO FILL OUT THE NO TRESPASSING FORM AT THE POLICE DEPARTMENT.
2. ANOTHER OPTION WOULD BE TO PUT IN A PARKING SURFACE, SEE CODE ABOVE OR PUT UP FENCING TO PREVENT PEOPLE FROM PARKING ON THE LOT.
3. PLEASE MAINTAIN THIS PROPERTY.

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Notice was delivered to:

**PATRICK HAZELTON  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281**

**PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080**

**Code Enforcement Officer: Julie Scofield**

**Phone Number 480-350-8951**

**E-mail [Julie\\_scofield@tempe.gov](mailto:Julie_scofield@tempe.gov)**

Civil and Criminal Penalties

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1<sup>st</sup> occurrence \$100 dollars per violation, 2<sup>nd</sup> occurrence \$200 dollars per violation, 3<sup>rd</sup> occurrence \$300 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1<sup>st</sup> occurrence \$300 dollars per violation, 2<sup>nd</sup> occurrence \$600 dollars per violation, 3<sup>rd</sup> occurrence \$900 dollars 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 cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

Civil and Criminal Penalties

Section 1-201A: 1<sup>st</sup> occurrence \$120 dollars per violation, 2<sup>nd</sup> occurrence \$320 dollars per violation, 3<sup>rd</sup> occurrence \$770 dollars per violation.

Default Amounts: 1<sup>st</sup> occurrence \$170 dollars per violation, 2<sup>nd</sup> occurrence \$420 dollars per violation, 3<sup>rd</sup> occurrence \$820 dollars per violation.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this code.



City of Tempe Code Compliance Division  
FINAL Notice

**This is a courtesy notice to inform you that on 11/19/07, 1219 S. MAPLE AVE.**

was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, and II of the Tempe City Code. A re-inspection will be conducted on or after the date indicated to verify compliance. If the property is brought into compliance with the code by 12/17/07, you will not be subject to citations or fines for the violation(s). We appreciate your cooperation in this matter. For questions or further information please contact the Code Compliance Division at 480-350-8372.

**Section 4-602 General Parking Standards.**

**A. Parking Required.** No use shall provide less than the minimum or more than the maximum number of *off-street parking* spaces required under Section 4-603. The use of any property is conditional upon the unqualified continuance and availability of the *parking* as required by this Code. In phased projects, individual phases of the project are exempt from the maximum *parking* standards, provided that the project does not exceed the maximum allowable *parking* at build-out.

**B. Parking Standards Applicable in All Zoning Districts.**

1. *Parking* spaces shall conform to the clear vision requirements in Section 4-702(G) and the vehicle and pedestrian circulation standards in Sections 4-502 and 4-503 respectively;
2. *Parking* is allowed only on paved *parking* surfaces. Pavement may be concrete, asphalt, or a porous material approved by the Development Services Manager, or designee. Where decomposed granite or similar porous pavement is used, it shall conform to ADA guidelines and the *parking lot* entrance(s) and exit(s) shall have tire cleaning strips to remove loose particles from the tires of vehicles;
3. A *parking* area shall be located on the *lot* it serves, or on a *contiguous lot*. Whenever required *parking* is provided on a *contiguous lot* a parking covenant and agreement shall be filed with the Development Services Department prior to issuance of a building permit;
4. *Parking* for uses located on property zoned as multi-family residential, commercial, *mixed-use* or *officel/industrial* may not be provided on any property in a single-family (R1) district. *Parking* for any non-residential use permitted in the single-family zoning districts may be located in any other zoning district;

Violation of the Tempe City Code, Chapter 21-3-b-4

To leave or permit to remain outside of any single-family or multifamily dwelling or accessory building any camper, vehicle, or part thereof in any portion of the front or side area of the building visible from the street that is not on an improved area designed or intended for such use. An improved area shall:

- a. Be contiguous to, and share an access point with, the required driveway;
- b. Be no greater than Thirty-Five Percent (35%) of the front and side areas visible from the street;
- c. Be a minimum of three (3) inches in depth if gravel, crushed rock or other aggregate. If using materials other than asphalt or concrete, an improved surface containing material such as gravel or crushed rock must be contained within a permanent border, imbedded in the ground, delineating the improved area from the remainder of the yard; and
- d. Be maintained free of all vegetation, including, but not limited to grasses, trees, and bushes.

**Please take the following corrective action by 12/17/07**

**Required Correction(s):**

1. **PLEASE PUT UP THE NO PARKING SIGNS ON THE PROPERTY AND BE SURE TO FILL OUT THE NO TRESPASSING FORM AT THE POLICE DEPARTMENT.**
2. **ANOTHER OPTION WOULD BE TO PUT IN A PARKING SURFACE, SEE CODE ABOVE OR PUT UP FENCING TO PREVENT PEOPLE FROM PARKING ON THE LOT.**
3. **PLEASE MAINTAIN THIS PROPERTY.**

We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.

Notice was delivered to:

**PATRICK HAZELTON  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281**

**PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080**

**PATRICK HAZELTON  
23033 COLONY ST.  
SAINT CLAIR SHORES, MI 48080**

**PLEASE CALL ME CONCERNING THIS PROPERTY**

**Code Enforcement Officer: Julie Scofield**

**Phone Number 480-350-8951**

**E-mail [Julie\\_scofield@tempe.gov](mailto:Julie_scofield@tempe.gov)**

**Civil and Criminal Penalties**

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1<sup>st</sup> occurrence \$100 dollars per violation, 2<sup>nd</sup> occurrence \$200 dollars per violation, 3<sup>rd</sup> occurrence \$300 dollars per violation.

Section 21-3, Enumerated Violations subsections (b) 9-16: 1<sup>st</sup> occurrence \$300 dollars per violation, 2<sup>nd</sup> occurrence \$600 dollars per violation, 3<sup>rd</sup> occurrence \$900 dollars 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 cost of abatement.

The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

**Civil and Criminal Penalties**

Section 1-201A: 1<sup>st</sup> occurrence \$120 dollars per violation, 2<sup>nd</sup> occurrence \$320 dollars per violation, 3<sup>rd</sup> occurrence \$770 dollars per violation.

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The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this code.

CASE #CE075217



**City of Tempe Code Compliance Division  
Final Notice to Comply: Article I. Nuisances**

Mailed on Date: 11/19/07

**PATRICK HAZELTON  
850 S. RIVER PKWY. #1044  
TEMPE, AZ 85281**

**PATRICK HAZELTON  
23229 DOREMUS ST.  
SAINT CLAIR SHORES, MI 48080**

**PATRICK HAZELTON  
23033 COLONY ST.  
SAINT CLAIR SHORES, MI 48080**

This notice to comply is to inform you that on 11/19/07, the property located at 1219 S. MAPLE AVE. /1223 S. MAPLE AVE. was inspected and found to be in violation of the following subsection(s) of the Nuisance and Property Enhancement Ordinance, Chapter 21, Article I, of the Tempe City Code. A re-inspection will be conducted on 12/4/07 or after this date to verify compliance. If the property is brought into compliance with the code you will not be subject to citations or fines for the violation(s).

**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.

**Deteriorated or deterioration** means a lowering in quality of the condition or appearance of a building, structure or premises, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or any other evidence of physical decay, neglect, damage or lack of maintenance.

**Slum-like** means a building, structure or premises characterized by deterioration or other similar conditions regardless of the condition of other properties in the neighborhood.

**Please take the following corrective action by: 12/4/07**

Required Correction(s):

PLEASE CUT DOWN ALL OVERHEIGHT GRASS AND OR WEEDS.

**IF THE VIOLATION IS NOT CORRECTED, THE NEXT STEP WILL BE TO ABATE THE PROPERTY.**

*We appreciate your cooperation in this matter. For questions or further information please contact the Code Enforcement Division at 480-350-8372. Failure to comply may result in civil citation, criminal charges or abatement of the violation.*

**Civil and Criminal Penalties**

Section 21-3, Enumerated Violations subsections (b) 1-8 and 17-19, Section 21-4 Enumerated Violations 1-4: 1<sup>st</sup> occurrence \$100 dollars per violation, 2<sup>nd</sup> occurrence \$200 dollars per violation, 3<sup>rd</sup> occurrence \$300 dollars per violation.

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The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of this chapter.

**Code Inspector: JULIE SCOFIELD**

**Phone Number: 480-350-8951**

**E-mail: JULIE\_SCOFIELD@TEMPE.GOV**

2/20/08



2/20/08



2/20/08



2/20/08



3/3/08



3/3/08

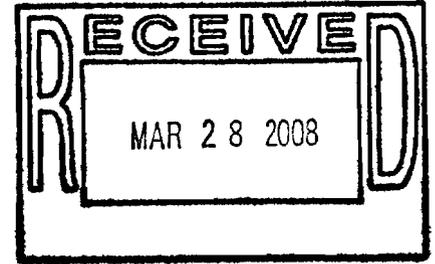


3/3/08



March 26, 2008

Development Services Dept  
Attn: Mr. Steve Abrahamson  
P.O. Box 5002  
Tempe, Az 85281



Regarding: **Hazelton Property**, 1219 S. Maple Ave, Tempe, 85281

This is the third letter we have written to the city regarding the Hazelton property which is across the street from our home. The first letter was ten years ago (1998), and the second was sent in 2002. The following problems with this abandoned property are presented for your consideration.

The property is no longer groomed. The weeds that grow along its margins are unsightly and end up sending their seeds to the adjacent properties.

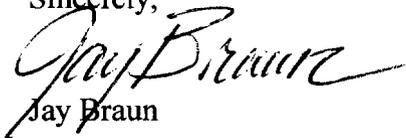
Most of the property is dirt, and when the wind blows, or when cars use it as a drive through, or as a parking lot, the dust ends up in our houses. This is especially difficult for one of our neighbors who's son has fairly severe asthma and who can't afford to leave the front windows or doors open during these nice Spring days.

Gradually, the property has become a parking lot for folks who don't have parking permits for the Maple/Ash neighborhood. It is our understanding that parking is illegal in one's front yard, and we wonder why these illegally parked vehicles are never ticketed.

Over the past two years, the property has been increasingly abused and neglected in highly visible ways that detract from the ambience of this old neighborhood. For example, beer containers and other garbage is strewn along the back of the property, near the boarded up house, and the house itself has acquired a great deal of graffiti. Bicycling up the alley behind the property early one morning, one of us observed a fellow urinating between the buildings. This property is becoming a magnet for folks with no other place to go.

One of us (JB) went to the Tempe Development Services Department to file a complaint, in person, and was given your mailing address. We understand that there will be a hearing regarding these properties in mid-April which we will not be able to attend, hence this letter of complaint.

Sincerely,

  
Jay Braun

  
Sara Gutierrez

1290 S. Maple Ave, Tempe, Az 85281. 480-968-2054. Email: jay.braun@asu.edu