

Staff Summary Report



Hearing Officer Hearing Date: 11/02/11

Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by the City of Tempe – Code Compliance Section to abate public nuisance items at the Tashjian Property located at 1803 East Oxford Drive.

DOCUMENT NAME: 20111102cds102 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the **TASHIJIAN PROPERTY (PL110339 /ABT11039 /CE113133)** (Jack Scofield, Inspector; Issa Tashjian, property owner) located at 1803 East Oxford Drive in the R1-7, Single Family Residential District.

PREPARED BY: Sherri Lesser, Senior Planner (480-350-8486)

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

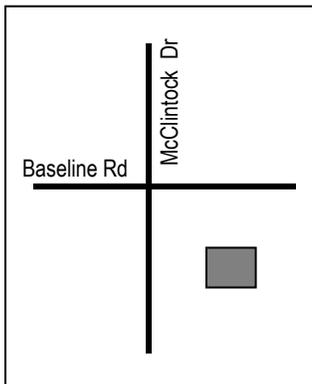
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

FISCAL NOTE: \$525.00 for abatement request, for deteriorated pool & damaged rear yard RV gate

RECOMMENDATION: **Staff – Approval of Abatement Proceedings**

ADDITIONAL INFO:



Code Compliance is requesting approval to abate the Tashjian Property located at 1803 East Oxford Drive in the R1-7, Single Family Residential District. 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 CE113133: for deteriorated pool & damaged rear yard RV gate.

Due to the history of recidivism of the property owner and several months of attempts to have the site remediated by the property owner, staff is requesting a 180 day open abatement to prevent repeated property neglect and neighborhood decline.

PAGES:

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

ATTACHMENTS:

1. Location Map
2. Aerial Photo
- 3-7. Code Compliance Report & Photographs

COMMENTS:

Code Compliance is requesting approval to abate the Tashjian Property located at 1803 East Oxford Drive in the R1-7, Single Family Residential District. This case was initiated 09/11 following which Code Compliance has attempted to obtain compliance through correspondence with the property owner(s) regarding violations of the Tempe City Code for deteriorated pool & damaged rear yard RV gate.

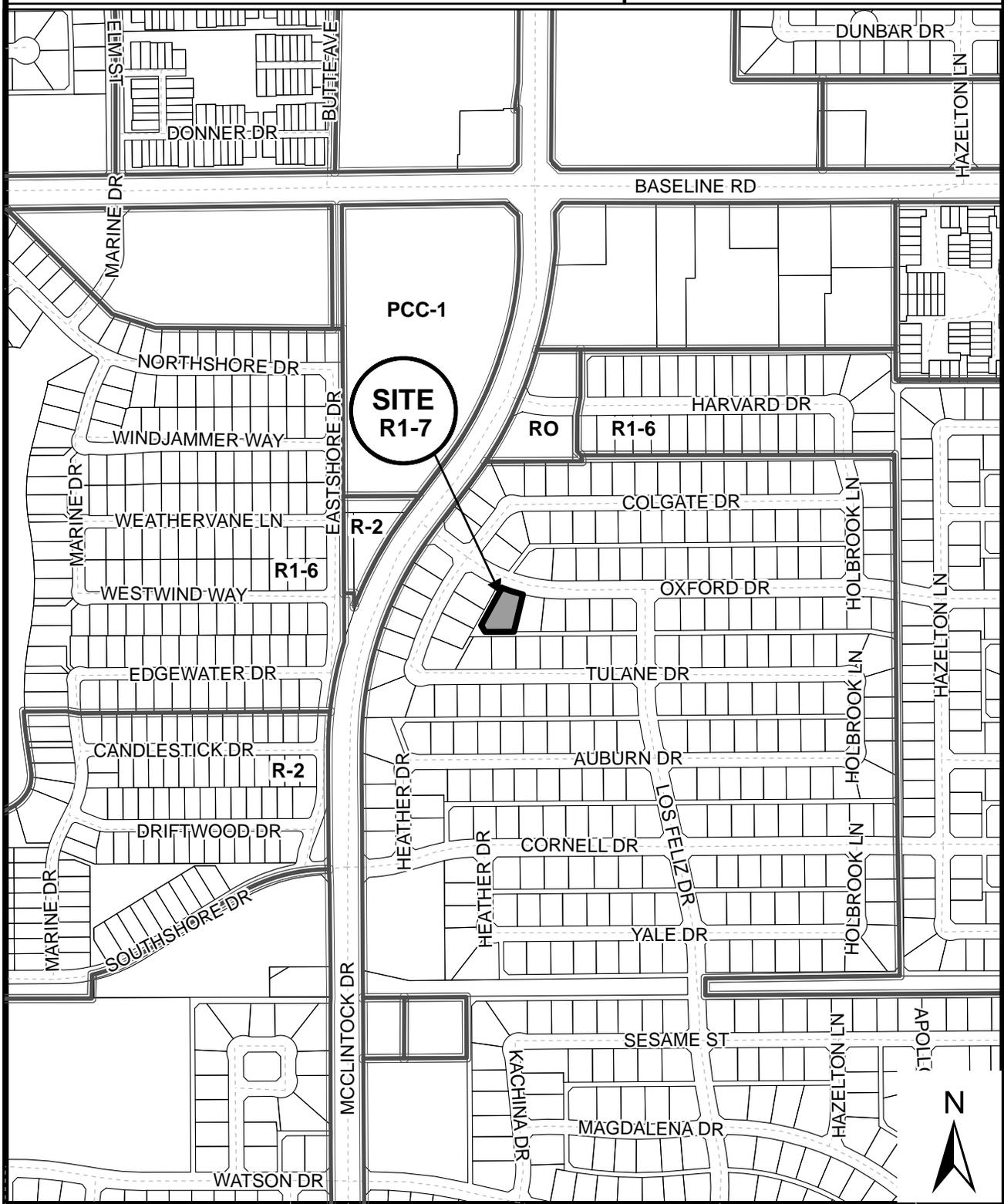
Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve the abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code. Due to the history of recidivism of the property owner and several months of attempts to have the site remediated by the property owner, staff is requesting a 180 day open abatement to prevent repeated property neglect and neighborhood decline

HISTORY & FACTS:

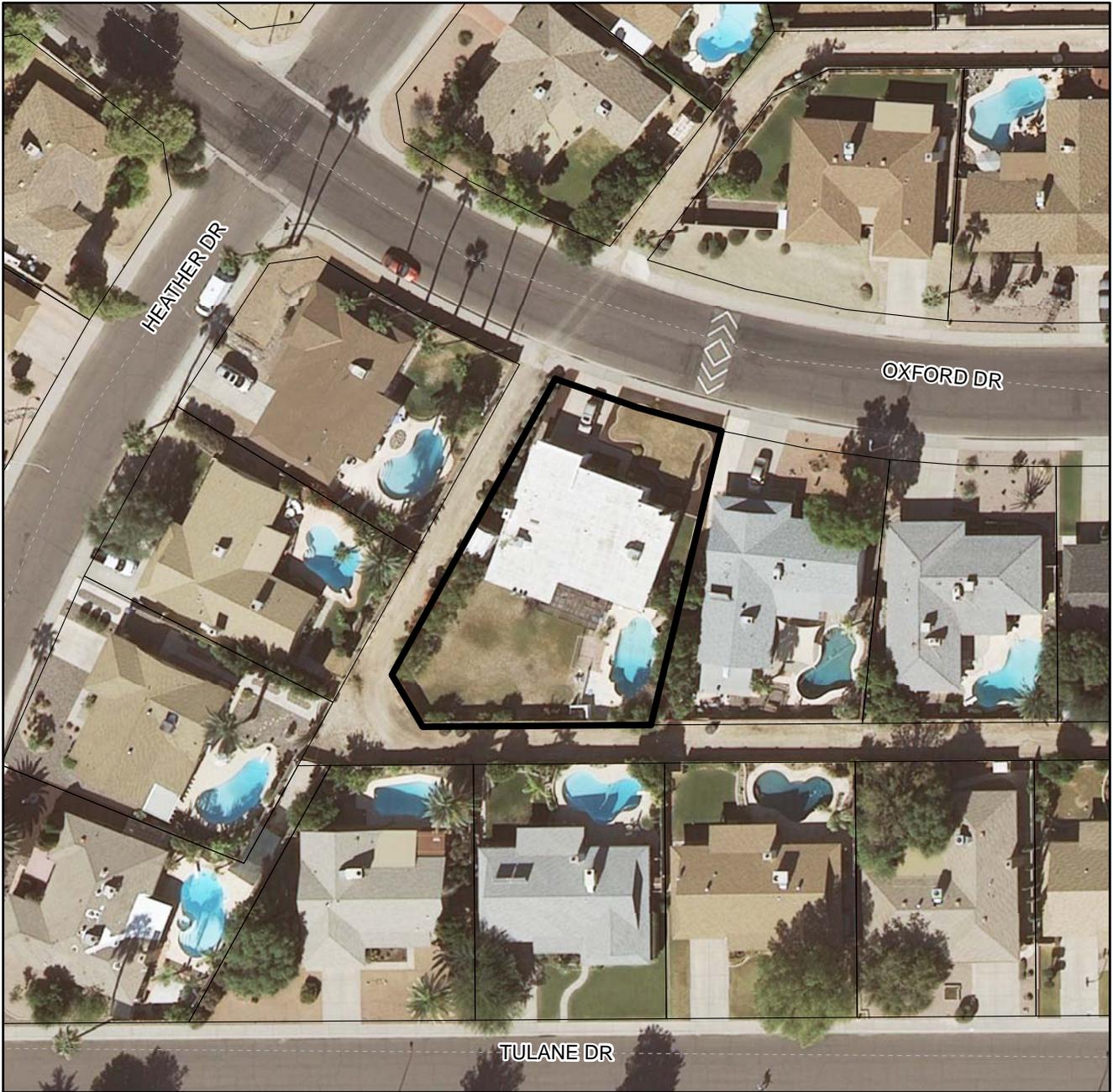
The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

TASHIJIAN PROPERTY

PL110339



Location Map



TASHIJIAN PROPERTY (PL110339)

DATE: September 27, 2011
TO: Jeff Tamulevich, Code Compliance Administrator
FROM: Jack Scofield, Code Inspector
SUBJECT: CE113133, Tashijian Property Abatement

LOCATION: 1803 E OXFORD DR TEMPE, AZ 85283
LEGAL: TEMPE ROYAL PALMS UNIT 11 PER MCR 169-25
PARCEL: 301-94-165
OWNER: TASHIJIAN ISSA
1803 E OXFORD DR
TEMPE, AZ 85283

FINDINGS:

9/7/2011 The Code Compliance Division received a complaint concerning a deteriorated pool and deteriorated rear fence.

9/8/2011 Inspected property and found a deteriorated pool with green stagnant water and a damaged rear yard RV gate. Notice to comply mailed to property owner.

9/15/2011 Final notice to comply posted to property due to first correction notice returned with no forwarding address.

9/27/2011 Posted notice of intent to abate to property and mailed copy to property owner.

RECOMMENDATIONS:

I recommend an abatement of the nuisance violations at the property at 1803 E Oxford Dr, due to property owner's failure to bring property into compliance with Tempe City Codes 21-3.B.15 and 21-3.B.16. Ms. Tashijian has been given ample time to come into compliance and maintain the property. The property is vacant with no current contact information for Ms. Tashijian. The property represents a health hazard and 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 and authorization of multiple abatements for a period not to exceed one hundred eighty (180) days from the previous abatement order.

Respectfully submitted,

Jack Scofield
Code Inspector II

ACTION TAKEN:

Submit

NAME

Jack Scofield

DATE:

9.27.11

CASE # CE113133



NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: 9/27/11

**TASHIJIAN ISSA
1803 E OXFORD DR
TEMPE AZ 85283**

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

Legal: TEMPE ROYAL PALMS UNIT 11 PER MCR 169-25
Location: 1803 E OXFORD DR TEMPE, AZ 85283
Parcel: 301-94-165

This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of **11/02/2011**. 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:

- 1. REPAIR REAR YARD RV GATE. MATERIALS MUST BE COMPATABLE WITH EXISTING FENCE AND GATE.**
- 2. RESTORE POOL WATER TO A CLEAN AND CLEAR STATE.**

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 **\$525.00**. 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 Inspector: Jack Scofield
Phone Number: (480)350-8967
E-mail: jack_scofield@tempe.gov**

JACK HARRINGTON
3831 W AVALON
PHOENIX, AZ. 85019
TEL: (602) 446-2630
FAX: (602) 347-5487
EMAIL: JACKHBOARDUPS@YAHOO.COM

THE FOLLOWING DOCUMENT IS FOR:

NAME: JACK SCOFIELD
FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS TRANSMISSION MEMORANDUM PLUS 0 PAGE(S)

DATE: 9-27-11

PROPOSAL

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE
UNDER CONTRACT # TO8-092-02

ADDRESS: 1803 E OXFORD TEMPE, AZ.

1. REPAIR BACK GATE- REBUILD BRICK COLUME	\$ 400.00
2 PUMP POOL	125.00
-	-----
TOTAL COST FOR JOB	\$525.00

THANK YOU

ACCEPTANCE

JACK HARRINGTON

