

**Minutes
HEARING OFFICER
APRIL 19, 2011**

Minutes of the regular public hearing of the Hearing Officer, of the City of Tempe, which was held at the Council Chambers, 31 East Fifth Street, Tempe, Arizona.

Present:

Vanessa MacDonald, Hearing Officer
Steve Abrahamson, Planning & Zoning Coordinator
Sherri Lesser, Senior Planner

Number of Interested Citizens Present: 1

Meeting convened at 1:30 PM and was called to order by Ms. MacDonald. She noted that anyone wishing to appeal a decision made today by the Hearing Officer would need to file a written appeal to that decision within fourteen (14) days by May 3, 2011 at 3:00 PM to the Community Development Department.

1. Ms. MacDonald noted that the Hearing Officer Minutes for April 5, 2011 had been reviewed and approved.

2. Ms. MacDonald noted that the following cases had been withdrawn from today's agenda:

- Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the **BANK OF AMERICA PROPERTY (PL110114/ABT11007/CE110099)** (Brandy Zedlar, Inspector; Bank of America, property owner) located at 2 West Erie Drive in the R1-6, Single Family Residential District.

CONTINUED TO MAY 3, 2011 HEARING OFFICER AT THE REQUEST OF CODE COMPLIANCE

3. Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the **FINA JONES APACHE LLC PROPERTY (PL110117/ABT11008/CE104435)** (Marvin White, Inspector; Fina Jones Apache LLC, property owner) located at 2102 East Apache Boulevard in the CSS, Commercial Shopping and Services District.

No one was present to represent the property owner.

Marvin White, Code Inspector explained that there is overgrown grass & weeds, debris and dead palm trees. The property owner has been non-responsive to rectifying these issues. Staff is requesting an open abatement period of 180 days to prevent repeated property neglect and neighborhood decline.

Ms. MacDonald noted that this request meets the criteria for properties in disrepair.

DECISION:

Ms. MacDonald approved abatement proceedings for PL110117 /ABT11008 /CE104435 for an open period of 180 days.

4. Request by **CHAPARRAL MOBILE HOME PARK - LAINE RESIDENCE (PL110121)** (John Laine, applicant/property owner) located at 400 West Baseline Road, Lot No. 348, in the RMH, Mobile Home Residence District for:

VAR11002 Variance to reduce the front yard setback from 5 ft to 4 ft (as measured from the trailer space lot line).

Mr. John Laine was present to represent this case.

Sherri Lesser, staff planner, gave an overview of this case and stated that no further public input has been received since the staff report was issued. She explained that although the trailer park plat shows the space at 90 feet deep, the usable depth of the lot is only 75 feet due to the perimeter fence of the mobile home park, which was erected 15 feet into the Laine property. The circumstances unique to this lot configuration warrant support of this variance.

Ms. MacDonald stated that this request meets the criteria for special circumstances, that are not self-imposed, that apply to the property and support this request for a variance.

DECISION:

Ms. MacDonald approved PL110121 / VAR11002 subject to the following condition:

1. Obtain a new building permit depicting the correct layout for the site plan.

The next Hearing Officer public hearing will be held on **Tuesday, May 3, 2011.**

There being no further business the public hearing adjourned at 1:40 PM.

Prepared by: Diane McGuire, Administrative Assistant II

Reviewed by:



Steve Abrahamson, Planning & Zoning Coordinator
for Vanessa MacDonald, Hearing Officer

SA:dm